

It is expected that a quorum of the Administration Committee, Board of Public Works, Personnel Committee and Plan Commission will be attending this meeting, although it is not expected that any official action of any of those bodies will be taken.

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
July 21, 2008

7:00 PM

AGENDA

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1. CALL TO ORDER

A. Call to order

2. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

A. Roll call

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Common Council, 7/7/08

☐

[Attachments](#)

Minutes to receive:

B. Administration Committee, 7/7/08

☐

[Attachments](#)

C. Board of Public Works, 7/7/08

☐

[Attachments](#)

D. Landmarks Commission, 5/28/08, 7/9/08

☐

[Attachments](#)

E. Parks and Recreation Board, 7/14/08, 7/16/08

☐

[Attachments](#)

F. Plan Commission, 7/8/08

☐

[Attachments](#)

G. Water and Light Commission, 6/25/08

☐

[Attachments](#)

Communications:

1. June 2008 Disposal Violations Report

2. Lt. Chuck Sahr to Mayor Merkes & PC Stanke, 7/7/08; Livescan Grant

3. Mayor Merkes to Common Council, 7/17/08; Special Common Council Meeting

4. Town of Menasha Utilities District Commission minutes, 6/9/08

5. Waverly Sanitary District minutes, 6/10/08

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. PUBLIC HEARING: Special Use Permit Application of Don Verkuilen to allow the operation of a kennel at 2889 Manitowoc Road.

B. Public Comments on any matter of concern of the City.

6. APPOINTMENTS

A. None

7. CLAIMS AGAINST THE CITY

A. None

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. None

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. 7/8/08; No Recommendations

B. Administration Committee:

1. The Wisconsin Historical Society Grant Agreement and Work Program. (Recommendation of Landmarks Commission)

☐ [Attachments](#)

2. Offer to Purchase, Lot 10 Province Terrace, Wiegert Enterprises, LLC

☐ [Attachments](#)

3. Free Admission Day at the Pool on Saturday August 9, 2008. (Recommendation of Parks & Recreation Board)

☐ [Attachments](#)

4. Request to extend timetable for landscaping 81/87 Racine Street and 504 Broad Street

☐ [Attachments](#)

5. Accounts payable and payroll for 7/10/08-7/17/08 in the amount of \$777,030.78

☐ [Attachments](#)

C. Board of Public Works:

1. Street Use Application - Labor Day Parade; Monday, September 1, 2008; 9:30 AM - 11:30 AM; (Fox Valley Area Labor Council)

☐ [Attachments](#)

2. Street Use Application - St. Joseph's Food Pantry Run/Walk; Saturday, November 1, 2008; 8:45 AM - 10:00 AM; (Pacesetter's of the Fox Cities)

☐ [Attachments](#)

3. Street Use Application - Grunski Runski; 10K and 2 Mile Run/Walk; Saturday, August 9, 2008; 8:30 AM - 10:30 AM; (City of Menasha Parks and Recreation Department)

☐ [Attachments](#)

4. Street Use Application - Market On Main; Saturdays 8/2/08, 8/9/08, 8/16/08, 8/23/08, 8/30/08, 9/6/08, 9/13/08, and 9/20/08; 8:00 AM - 5:00 PM (Community Forward, Inc.)

☐ [Attachments](#)

5. Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3, Contract No. E145-07-01A; Sanitary Sewer Lining; \$197,035.92 (Payment No. 4)

☐ [Attachments](#)

6. Payment - Infrastructure Technologies, Inc.; City of Menasha Wastewater

☐ [Attachments](#)

Collection System Rehabilitation Improvements Project - Phase 3, Contract No. E145-07-01D Sanitary Manhole Lining; \$27, 059.63 (Payment No. 4)

- 7. Request for Stop Sign on Melissa Street at Grove Street ☐ [Attachments](#)
- 8. Consideration of Additional Traffic Control Devices at the Intersections in Vicinity of Melissa Street and Grove Street (Ald. Benner) ☐ [Attachments](#)
- 9. Request for Yield Sign on Jennie Street at Greenwood Drive (Mayor Merkes) ☐ [Attachments](#)
- 10. Request for Traffic Control Signage on Applewood Drive at Southfield Drive and on Sweetbriar Lane at Southfield Drive ☐ [Attachments](#)
- 11. Consideration of Options for Surplus Commodity Revenue Through Tri-County Regional Recycling Program ☐ [Attachments](#)
- 12. Solicitation of Interest in a Consolidated Procurement of Carts for Single Stream Recycling by the Winnebago County Solid Waste Management Board ☐ [Attachments](#)
- 13. Solicitation of Interest in a Potential Solid Waste Management Board Ban of Computers/Electronics at the Winnebago County Landfill ☐ [Attachments](#)
- 14. Recommendation to Increase Tire Disposal Fees ☐ [Attachments](#)

10. ORDINANCES AND RESOLUTIONS

- A. O-10-08 - An Ordinance Relating to Dogs in Parks ☐ [Attachments](#)
- B. O-12-08 - An Ordinance Relating to Destruction of City Property (Ald. Wisneski - Recommendation of IT Steering Committee) ☐ [Attachments](#)
- C. O-13-08 - An Ordinance Relating to Landmarks Commission (Ald. Pamenter - Recommendation of Landmarks Commission) ☐ [Attachments](#)

11. HELD OVER BUSINESS

- A. Street Use Application-National Night Out; Tuesday, August 5, 2008; 4:00 PM-8:00 PM (Trinity Lutheran Church) (Held 7/7/08) ☐ [Attachments](#)

12. COUNCIL DIRECTIVES

- A. CDD Keil - Update on Brownfield Grant for Gilbert Site (Ald. Taylor)

13. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

- A. Public comments on matters pertaining to the agenda

14. ADJOURNMENT

- A. Adjournment

MEETING NOTICE: August 4, 2008
Common Council-7:00 PM
Administration Committee-To be determined
Board of Public Works-To be determined

Menasha is committed to its diverse population. Our Non-English speaking population or those with disabilities are invited to contact the Clerk's Office at 967-3600 at least 24-hours in advance of the meeting so special accommodations can be made.

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
July 7, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 7:11 p.m.

2. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

3. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

PRESENT: Ald. Benner, Pamenter, Taylor, Wisneski, Pack, Hendricks, Zelinski

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press

DEPT. HEAD EXCUSED: PHD Nett

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 6/16/08](#)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve minutes

Motion Carried on voice vote

Results:

Minutes to receive:

B. [Administration Committee, 6/19/08](#)

C. [Board of Public Works, 6/16/08](#)

D. [Board of Health, 5/14/08](#)

E. [IT Steering Committee, 5/21/08](#)

F. [Library Board, 6/19/08](#)

G. [NM Fire Rescue, Finance & Personnel Committee, 6/24/08](#)

H. [Parks and Recreation Board; 5/12/08, 6/9/08](#)

I. [Plan Commission; 5/27/08, 6/17/08](#)

J. [Safety Committee, 5/7/08; City Hall](#)

K. Safety Committee, 5/27/08; Public Works and Parks

Communications:

- A. Comp. Stoffel, 7/3/08; Instructions for preparation of year 2009 Operations/Capital Budget**
- B. CA/HRD Brandt to Brenda Jorgensen, 7/1/08; Letter regarding Claim against the City of Menasha**
- C. CA/HRD Brandt to Charles Meyers, 7/1/08; Letter regarding Claim against the City of Menasha**
- D. CA/HRD Brandt, 7/2/08; Green River Ordinance (door-to-door solicitation)**
- E. Carol Wirth, RBC to Comp. Stoffel, 6/30/08; Important announcement regarding the Milwaukee Public Finance Office**
- F. Chief Stanke, 6/18/08; Polaris Ranger, donated through U.S. Tobacco Grant**
- G. Michael Austin, 7/1/08; Letter pertaining to the rezoning of his property at 121 River St.**
- H. Menasha Utilities, 6/08; Steam Detail for the five months ending May 31, 2008**
- I. Mayor Merkes, 6/23/08; email from Deputy Clerk Sewall detailing cost difference of color paper versus white paper for Council packets**
- J. Park Supt Huss, 6/26/08; Vandalism in the park system**
- K. PWD Radtke, 7/2/08; Railroad crossing quiet zones**
- L. Town of Menasha Board of Supervisors; 5/5/08, 5/19/08**
- M. Engineering Supvr. Montour, 6/9/08; Town of Menasha Utility District Watermain Reconstruction**
- N. Time Warner Cable to Clerk Galeazzi, 6/12/08; TWX and TWC separation**
- O. Chris Donner (The Vault Lounge), 6/30/08; Letter surrendering liquor license**
- P. Waverly Sanitary District, 5/13/08**
- Q. DPW Radtke to Wis. DOT, 6/26/08; Letter of support for HSIP Application**

Moved by Ald. Wisneski, seconded by Ald. Pack to accept Minutes to Receive B-K and Communications A-Q.

Discussion: Ald. Taylor-Minutes H (Park & Rec Board of 6/9/08) are not correct.

Moved by Ald. Taylor, seconded by Ald. Pack to not accept Parks and Recreation Board minutes.

Motion carried on voice vote.

Ald. Hendricks-Minutes I (Plan Comm. of 6/17/07) need to be corrected, he did not vote on an item, he is not a member of the committee.

Ald. Pack-Comm. K (DPW Radtke memo on Quiet Zones).

DPW Radtke explained the history and options to reinstate the Quiet Zones at railroad crossings.

Motion as amended carried on voice vote.

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. PUBLIC HEARING: Special use permit application of Consolidated Construction Managers, LLC for improvement to a nonconforming property in the I-1 district - 330 Milwaukee Street.**

No one spoke

- B. PUBLIC HEARING: Rezoning of 121 River Street from R-1 Single Family Residential to R-2 Two Family Residential.**

Michael Austin, 141 River Street. Original plan submitted to Plan Commission was from 2007, have made a few changes; will have no problem finding qualified tenants if converted to two family dwelling; neighbors support plan.

C. Public comments on any matter of concern to the city

No one spoke.

6. APPOINTMENTS

A. Accept resignation letter for Joseph Cruickshank from the Police Commission

Moved by Alderman Wisneski, seconded by Alderman Pack to accept resignation letter

Motion Carried on voice vote

Results:

B. Mayor's appointment to the Police Commission:

1. Ronald Duuck, 825 Kelsey Brook Court, for the term of July 7, 2008 to May 1, 2012

Moved by Alderman Pack, seconded by Alderman Wisneski to approve appointment

Motion Carried on voice vote

Results:

C. Mayor's reappointment to the Housing Authority

1. Michael Sheleski, 1400 Maria Ln., for the term of July 21, 2008 to July 21, 2011

Moved by Alderman Wisneski, seconded by Alderman Hendricks to approve reappointment

Motion Carried on voice vote

Results:

7. CLAIMS AGAINST THE CITY

A. None

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. None

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. 6/17/08; Recommends approval of the rezoning of 121 River St. from R-1 Single Family Residential to R-2 Two-Family Residential

Acted on under item 10C

2. 6/17/08; Recommends approval of the special use permit for 330 Milwaukee St. for improvement to a nonconforming property in the I-1 district with the following conditions: 1) The special use permit shall apply to the use of the property as a pottery manufacturing facility only. 2) The light pole on the east side of the property shall remain out of service until photometrics are submitted for review and approval. 3) Upon parking lot paving or reconstruction, the full transitional area will be brought into compliance

Moved by Alderman Benner, seconded by Alderman Hendricks to approve Special Use Permit

Motion Carried on voice vote

Results:

B. Administration Committee:

1. License: Class "B" Application for Oscar Sandoval and Antonio Sandoval, d/b/a El Jaripeo #2 for the premises at 14 Tayco Street for the 2008-2009 licensing year.

Moved by Alderman Wisneski, seconded by Alderman Pack to approve license

Motion Carried on voice vote

Results:

2. Accounts payable and payroll for 6/19/08-7/3/08 in the amount of \$1,158,305.20

Moved by Alderman Wisneski, seconded by Alderman Pack to approve accounts payable and payroll

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentor , Taylor , Wisneski , Zelinski (7)

ABSENT: Michalkiewicz (1)

C. Board of Public Works:

1. Street Use Application - Race the Lake; Sunday, August 17, 2008; 7:30 AM - 8:30 AM (Midwest Sports Events and Wisconsin Bureau of Tourism)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Street Use Application

Motion Carried on voice vote

Results:

2. Street Use Application - National Night Out; Tuesday, August 5, 2008; 4:00 PM - 8:00 PM (Trinity Lutheran Church)

Moved by Alderman Pack, seconded by Alderman Benner to hold Street Use Application

3. Street Use Application - 38th Otto Grunski Family Festival; Saturday, July 26, 2008; 7:00 AM - 5:00 PM (Community Forward, Inc.)

Moved by Alderman Taylor, seconded by Alderman Hendricks to approve Street Use Application beyond 6 hour limit due to the activities scheduled

Discussion

Roll Call:

AYES: Benner , Hendricks , Taylor , Wisneski , Zelinski (5)

NAYS: Pack , Pamentor (2)

ABSENT: Michalkiewicz (1)

4. Change Order - Badger Highways Co., Inc.; Contract Unit 2008-01; Elimination of 8' Wide Asphalt Trail; DEDUCT: \$6,441.93 (Change Order No. 1)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve change order

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentor , Taylor , Wisneski , Zelinski (7)

ABSENT: Michalkiewicz (1)

5. Payment - Badger Highways Co., Inc.; New Street Construction/Street Reconstruction; Contract No. 2008-01; \$18,732.38 (Payment No. 1)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentor , Taylor , Wisneski , Zelinski (7)

ABSENT: Michalkiewicz (1)

6. Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \$171,410.40 (Payment No. 2)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentner , Taylor , Wisneski , Zelinski (7)
ABSENT: Michalkiewicz (1)

7. [Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \\$252,779.80 \(Payment No. 3\)](#)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentner , Taylor , Wisneski , Zelinski (7)
ABSENT: Michalkiewicz (1)

8. [Recommendation to Award - Valley Sealcoat; Contract Unit No. PRD 2008-02; Pleasants Park Tennis Courts Armor Crack Repair and Color Coating; \\$49,225.00](#)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve recommendation to award

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentner , Taylor , Wisneski , Zelinski (7)
ABSENT: Michalkiewicz (1)

10. ORDINANCES AND RESOLUTIONS

A. [O-9-08 - An Ordinance Relating to City Government and Elections](#)

Moved by Alderman Taylor, seconded by Alderman Wisneski to adopt O-9-08

Motion Carried on voice vote
Results:

B. [O-10-08 An Ordinance Relating to Dogs in Parks](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to - send back to Parks and Recreation Board

Discussion

Motion Carried on voice vote
Results:

C. [O-11-08- An Ordinance Amending Title 13 by Making Certain Changes in the District \(121 River Street\)](#)

Moved by Alderman Pack, seconded by Alderman Pamentner to adopt O-11-08

Roll Call:

AYES: Hendricks , Pack , Pamentner , Taylor , Wisneski , Zelinski (6)
NAYS: Benner (1)
ABSENT: Michalkiewicz (1)

D. [R-13-08- Resolution Acknowledging Review of City of Menasha 2007 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208 \(Ald. Hendricks\)](#)

Moved by Alderman Hendricks, seconded by Alderman Taylor to adopt R-13-08

Roll Call:

AYES: Benner , Hendricks , Pack , Pamentner , Taylor , Wisneski , Zelinski (7)
ABSENT: Michalkiewicz (1)

11. COUNCIL DIRECTIVES

- A. Comp. Stoffel- Report on projected 1) State levy limit increase %. 2) Available tax stabilization fund, if any. 3) Past 5 year history on average money applied to levy from general fund. 4) Current projection for steam utility debt. 5) Current projection for Lake Park Villas debt. 6) Impact of spending decisions on #1-5. 7) Effect on levy if Common Council closes any TID. (Ald. Pack)

C/T Stoffel reported: 1) City is held to the 2% increase allowed by State law. Based on current numbers, the City's new construction is not high enough to allow over the 2%.

2) The City's Tax Stabilization Fund was depleted in 2005.

3) Over the past five years, the City has applied \$4.6 million against the general fund. There are no figures available for 2009.

4) The current projection for Steam Utility debt is \$40 million. The City's portion is \$780,000 which will be part of the 2009 tax levy to pay the interest due on the General Obligation Bonds. Currently there is no principle being retired on the bonds.

5) Lake Park Villas outstanding debt is \$7.5 million. Debt is being repaid through sale of lots. Lot sales have not been what was expected. This debt is added to the tax levy.

6) There is no impact of the spending for items 1,2,4,5; excessive spending is determined by what's left over for item 3.

7) TID 1&2 do not have outstanding debt. However there is still amounts owing to the taxpayers. Retiring TID 1&2 before repayment to taxpayers could cost approx. \$160,000 in revenue. He recommends keeping them open until their official retire date.

B. MU GM Young - Update on Menasha Utilities

Doug Young reported the Steam Utility is making progress. Staff is working on tasks assigned from the workout plan. The #3 Boiler had some parts replace and other repairs will be made in 2009. The noise issue has been resolved. The #5 back pressure turbine/generator, manufactured by Dresser Rand, is making progress correcting operating issues. There were some delays recently. Representatives from Dresser Rand were on site to make the necessary repairs. Financially, the Steam Utilities have been showing a positive since December 2007. This is partly due to the strong electric market.

The Water Treatment Plant is about 97% completed on the reconstruction project. Final DNR approval of the project could take 6-9 months to complete.

12. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Public comments on matter pertaining to the agenda

No one spoke

13. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Taylor to adjourn at 8:44 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Administration Committee
140 Main Street, 3rd Floor Council Chambers
July 7, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:00 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

PRESENT: Ald. Benner, Pamenter, Taylor, Wisneski, Pack, Hendricks, Zelinski

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Administration Committee Minutes, 6/16/08](#)

Moved by Alderman Pack, seconded by Alderman Hendricks to approve minutes

Motion Carried on voice vote

Results:

4. DISCUSSION

A. [Presentation of Life Saving Award to Officer David Jagla \(presented by Chief Stanke\)](#)

PC Stanke presented a Lifesaving Pin and Certificate to Investigator Dave Jagla for rescuing a toddler who had fallen in the water at Jefferson Park.

B. [License: Class "B" Application for Oscar Sandoval and Antonio Sandoval, d/b/a El Jaripeo #2 for the premises at 14 Tayco Street for the 2008-2009 licensing year.](#)

No Questions or Discussion

C. [Marketing Options for 81-87 Racine and 504 Broad \(Ald. Wisneski\) \(Discussion only\)](#)

Chairman Wisneski explained the topic of marketing options for 81-87 Racine Street and 504 Broad was touched on at a previous meeting. No other discussion.

Moved by Ald. Pack, seconded by Ald. Benner to table.

D. [O-10-08 An Ordinance Relation to Dogs in Parks](#)

Ald. Taylor explained the Parks and Recreation Board agreed with allowing dogs on the Friendship Trail in

Jefferson Park until noon on July 4 and the majority of the Board agreed to make the ordinance permanent, not having to revisit the issue after one year.

Ald. Wisneski spoke on the Parks and Recreation Board minutes do not indicated that the Board agreed with making the ordinance permanent. She has a problem with allowing dogs on the trail when workers are setting up for the July 4 park activities and fireworks. She suggests sending the ordinance back to the Parks and Recreation Board for further discussion.

CA/HRD Brandt explained people don't always follow signs. Stricter enforcement would be needed.

E. [O-11-08 - An Ordinance Amending Title 13 By Making Certain Changes in the District \(121 River Street\)](#)

Discussion ensued on the purpose of the property, Comprehensive Plan calls for more single family zoning, adjacent property is zoned I-1 Industrial may have problems renting, neighborhood already has mixed land use, original plan submitted to Plan Commission is different. Some of the aldermen had visited the area and see a positive impact on the neighborhood.

CDD Keil gave a brief history of the property. It was a problem area, property was taken for back taxes by Winnebago County and the City purchased the property. It was recommended to raze the house and hold the property for more positive use. The Common Council chose to sell the property as is with R-1 zoning. It is a heavy industrial area with some noise issues and not recommended for residential use. Staff is opposed to the rezoning as the City has adopted a Housing Plan encouraging certain types of two-family dwellings to be converted to single family.

F. [Accounts payable and payroll for 6/19/08-7/3/08 in the amount of \\$1,158,305.20](#)

Ck. #17304-Beck Electric-\$482.01 - repair gas pump at Public Works Facility
Ck. #17596-Tri-County Overhead Door-\$2,652.00 - repair garage door at PWF
Ck. #17332-McClone Appraisal-\$2,000 - insurance consulting fee (should have been McClone Insurance)
Ck. #17459-Elan Cardmember-questions on a few charges
Ck. #17315-Domino's Pizza-\$118.75 - lunch for pool/recreational staff during training
Ck. #17390, #17396, #17403, #17413-Performance Contracts - invoices from Library
Ck. #17478-Joyce Klundt-\$50 - Board of Review member
Ck. #17493-Bob Nelson-\$180 - court reporter for Board of Review
Ck. #17588-Atty Dawn Shaha-\$1,514.90 - payment for Claim for traffic accident with city vehicle.
Ck. #17319-Heckrodt Wetland Reserve-\$8,800 - annual requested grant money

5. ADJOURNMENT

A. [Adjourn](#)

Moved by Alderman Hendricks, seconded by Alderman Pack to adjourn at 6:49 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha
July 7, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Pack at 6:50 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. -

PRESENT: Ald. Benner, Pamenter, Taylor, Wisneski, Pack, Hendricks, Zelinski

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

A. [June 16, 2008](#)

Moved by Alderman Wisneski, seconded by Alderman Taylor to approve minutes

Motion Carried on voice vote

Results:

4. DISCUSSION

A. [Street Use Application - Race the Lake; Sunday, August 17, 2008; 7:30 AM - 8:30 AM \(Midwest Sports Events and Wisconsin Bureau of Tourism\)](#)

Discussion ensued on if the street needs to be closed beyond the time requested, (8:30 a.m.), it may require more Police Dept. staff. It was suggested to look at increasing the fees charged for a Street Use Permit based on the event.

B. [Street Use Application - National Night Out; Tuesday, August 5, 2008; 4:00 PM - 8:00 PM \(Trinity Lutheran Church\)](#)

CA/HRD Brandt explained he had just recently been informed that Theda Star helicopter will be part of the event, landing in the parking lot. He has contacted the event coordinator to make sure the insurance covers the helicopter. Council may want to hold this until it is confirmed from the insurance company if the helicopter is covered.

C. [Street Use Application - 38th Otto Grunski Family Festival; Saturday, July 26, 2008; 7:00 AM - 5:00 PM \(Community Forward, Inc.\)](#)

DPW Radtke explained the street use is for more than the six hours permitted by City code, however it can be approved if the Council states the special reasons for exceeding six hours.

CA/HRD Brandt explained this request has been approved in the past. The motion to approve the request will need to include the reasons for going past the six hours.

Ald. Pack and Pamentor both stated they received requests from downtown business owners not to close the street. They will not support approving the street use permit.

D. Change Order - Badger Highways Co., Inc.; Contract Unit 2008-01; Elimination of 8' Wide Asphalt Trail; DEDUCT: \$6,441.93 (Change Order No. 1)

No Questions or Discussion

E. Payment - Badger Highways Co., Inc.; New Street Construction/Street Reconstruction; Contract No. 2008-01; \$18,732.38 (Payment No. 1)

No Questions or Discussion

F. Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \$171,410.40 (Payment No. 2)

No Questions or Discussion

G. Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \$252,779.80 (Payment No. 3)

DPW Radtke reported approximately 50% of the work on this project has been completed and approximately 20% of the payment has been made. Work will be completed in 2008.

H. Recommendation to Award - Valley Sealcoat; Contract Unit No. PRD 2008-02; Pleasants Park Tennis Courts Armor Crack Repair and Color Coating; \$49,225.00

PRD Tungate explained he has asked the school district in the past to help pay for part of maintaining City owned tennis courts and they haven't offer any financial assistance. The additional funds required for the project can come from surplus funds within the Parks budget.

I. Resolution R-13-08 Acknowledging Review of City of Menasha 2007 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208 (Ald. Hendricks)

No Questions or Discussion

5. ADJOURNMENT

A. -

Moved by Alderman Wisneski, seconded by Alderman Pamentor to adjourn at 7:07 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
LANDMARKS COMMISSION
COUNCIL CHAMBERS

DATE: 5-28-08

MINUTE NOTES
CHE—SECRETARY

REGULAR MEETING

1) CALL TO ORDER

- a. TIME: 4:10 p.m.
- b. CHAIR: Patti

2) ROLL

- a. LANDMARKS MEMBERS (Mark Present or Absent)
 - i. Chair: _____
 - ii. Vice Chair: Patti Rudolph Present
 - iii. Ald. _____
 - iv. Kristi Lynch Present
 - v. Mary Nebel Present
 - vi. Chris Evenson Present
 - vii. Charlie Cross Present
 - viii. Joe Weidert Present
- b. OTHERS PRESENT
 - i. Jessica Beckendorf
 - ii. _____
 - iii. _____

3) MINUTES

- a. Date(s) of meeting minutes: 4-23-08
- b. Motions:
- c. Amendments: None
 - i. Motion to approve:
 - 1. By: Mary
 - 2. 2nd: Joe
 - 3. Result: Approved

4) PUBLIC COMMENT

- a. Item: Mary—Minutes availability on line? Jessica—working on this but difficult with limited staff time and procedure for reconstituting minutes as prepared to city's format.

5) SUBSTANTIVE AGENDA ITEMS

A. Grant Memorandum

- i. Action Item
- ii. Attachments: Draft attached to agenda
- iii. Presenters: Jessica
- iii. Discussion: None
- iv. Motion: To approve the Grant Memorandum and Work Program as drafted
 1. By: Patti
 2. 2nd: Mary
 3. Result: Approved

B. Changes to Ordinance 2-4-8

- i. Action Item
- ii. Attachments: Draft of revised ordinance attached to agenda
- iii. Presenter: Jessica
- iv. Discussion: Need to change Historic Preservation Commission to Landmarks Commission; Revision of language in the three criteria for certificate of appropriateness; Possible pre-approval of color pallet for exterior paint; Drafts of application and certificate of appropriateness distributed for comment and action at next meeting
- v. Motion: To approve the Ordinance changes, with the amendments as outlined in the Discussion section above and recommend the Ordinance changes to the appropriate body (e.g. Plan Commission or Council)
 1. By: Joe
 2. 2nd: Kristi
 3. Result: Approved

C. W.H.S. Submissions of Qualifications

- i. Discussion Item
- ii. Attachments: Letters of interest and firm materials with backgrounds for doing survey work.
- iii. Presenter: Jessica

- iv. Discussion: In conjunction with the review of the submissions from interested firms, Jessica will also consult with Peter Adams (who did the last survey) for his input.

D. Request for Proposal for Survey

- i. Action Item
- ii. Attachments: Draft of Request accompanied agenda.
- iii. Presenter: Jessica
- iv. Discussion: Amendment of the Project Description language suggested clarify that survey is citywide, with Jessica to add brief information about last survey to help clarify project scope.
- v. Motion: To approve the Request, with the clarifications noted in Discussion section above
 - 1. By: Chris
 - 2. 2nd: Joe
 - 3. Result: Approved

7. ADJOURNMENT

- a. TIME: 5:10 pm
- b. MOTION
 - i. BY: Charlie
 - ii. 2ND: Kristi
 - iii. Result: Approved

CITY OF MENASHA
LANDMARKS COMMISSION
COUNCIL CHAMBERS
DATE: July 9, 2008

MINUTE NOTES
CHE—SECRETARY

REGULAR MEETING

1) CALL TO ORDER

- a. TIME: 4:07 pm
- b. CHAIR: Patti

2) ROLL

- a. LANDMARKS MEMBERS
 - i. Chair:
 - ii. Vice Chair: Patti Rudolph present
 - iii. Ald. Jason Pamentor absent
 - iv. Kristi Lynch present
 - v. Mary Nebel present
 - vi. Chris Evenson present
 - vii. Charlie Cross absent
 - viii. Joe Weidert absent
- b. OTHERS PRESENT
 - i. Jessica Beckendorf
 - ii. Hon. Don Merkes, Mayor

3) MINUTES

- a. Date(s) of meeting minutes: May 28, 2008
- b. Motions:
 - i. Amendments: None
 - ii. Motion to approve:
 - 1. By: Mary
 - 2. 2nd: Kristi
 - 3. Result: Approved

4) PUBLIC COMMENTS ON MATTERS OF CONCERN TO THE CITY
None

5) SUBSTANTIVE AGENDA ITEMS

A. Committee update on Grant Status

- i. Discussion Item
- ii. Attachments: None
- iii. Presenter: Jessica
- iii. Discussion: work description now headed to city council for approval of letting bids for work; Bid review/interviews to be on in August to keep on 9/1/08 deadline; Bids to be distributed to members immediately upon receipt; Hope to put bid selection as action item on August agenda, may require later meeting.

B. Election of Commission Chair

- iv. Action Item
- v. Attachments: None.
- iii. Presenter: Jessica
- vi. Discussion: Patti commended for her interim work as chair; Discussion as to lack of capacity of members present to take on responsibility; Qualifications of absent members for position reviewed
- vii. Motion: Elect Joe Weidert as Commission Chair
 - 1. By: Mary
 - 2. 2nd: Patti
 - 3. Result: Approved

C. Review of Sign Guidelines

- viii. Action Item
- ix. Attachments: None
- iii. Presenter: Jessica
- x. Discussion: Sign guidelines not included for final review in packet, therefore action deferred on this item to next meeting.

D. Addition of Historic Sign Ordinance to Landmarks Ordinance and approval of Landmarks Ordinance

- xi. Action Item
- xii. Attachments: Proposed draft of Historic Sign provisions, incorporated into proposed ordinance.
- iii. Presenter: Jessica

- xiii. Discussion: Limited number of signs within current district; Length of time sign in existence (Is 40 years too long?); Alteration of sign as requiring Certificate of Appropriateness.
- xiv. Motion: Resolved that the Landmarks Ordinance, with the changes approved at the May 28, 2008 meeting and the insertion of the words “or sign”, after the word “property” in the third line of section (j) (1) of the Landmarks Ordinance and including the historic sign provisions as presented to the Commission be presented to the City Council for adoption.
 - 1. By: Kristi
 - 2. 2nd: Chris
 - 3. Result: Approved

6. ADJOURNMENT

- a. TIME: 4:45 pm
- b. MOTION
 - i. BY: Chris
 - ii. 2ND: Kristi
 - iii. Result: Approved

ITEMS TO INCLUDE/CONSIDER FOR NEXT AGENDA: Forms, including Certificate of Appropriateness; Historic Trust Color Samples; Budget for Commission; Sign guidelines.

CITY OF MENASHA
Parks and Recreation Board
Barker Farm Shelter - 2170 Plank Road, Menasha
July 14, 2008

MINUTES

 + [Back](#)  [Print](#)

1. CALL TO ORDER

Meeting called to order at 6:03 PM by Vice-Chairman T. Konetzke.

2. ROLL CALL/EXCUSED ABSENCES

A.

Members Present: Vice-Chairman Tom Konetzke, George Korth, Mary Francis, Ron Suttner, Ald. Michael Taylor, Nancy Barker

Members Excused: Chairman Dick Sturm

Others Present: PRD Tungate, PS Huss, Mayor Don Merkes, Kathy Bayer, Julie Pollnow, John Matz - Winnebago County Sheriff's Department

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Minutes of the June 9, 2008 Park Board Meeting](#)

Moved by George Korth, seconded by Ronald Suttner to approve the minutes of the June 9, 2008 meeting and to amend 7-A. Action Item by striking the words "and to retain the one (1) year expiration language".

A significant discussion was held on whether or not Ordinance O-10-08 pertaining to leashed dogs in Jefferson Park was recorded on June 9, 2008 with or without the one (1) year exemption as described in the draft minutes of the meeting. Members agreed that one vote was taken, but the exact motion from June 9 was inconclusive. The Board decided to re-vote on the matter of Ordinance O-10-08. Moved by Ald. M. Taylor, seconded by N. Barker to recommend Ordinance O-10-08 as presented at the July 7 Common Council meeting, which dropped of the one (1) year renewal language and allowed dogs until 12:00 PM on July 4th.

Motion carried 6-0.

Motion Passed

Results:

4. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

N. Barker commented on the cemetery and asked about how employee injuries were handled. She liked the idea of a sand pit penny hunt for the City Carnival.

Ald. M. Taylor commented on the Jefferson shoreline binwall needing repair, section in water east of where people fish. He also commented he believed Rose Bohmke's assertion that there were no goose droppings in Jefferson Park was incorrect.

T. Konetzke asked for consideration of lighting the back outside steps at Koslo Park.

A. [Letter from Rose Bohmke](#)

Rose Bohmke letter about Jefferson Park was recognized.

5. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [Army Reserve Building Update](#)

A letter was sent to the Department of Army inquiring about the official status of the Army Reserve building. Senators Kohl and Feingold along with Congressman Petri were copied.

B. [New East Side Park Update](#)

PRD Tungate recently contacted the owners of property that could serve as a multi-jurisdictional park. A spouse has some health issues and the couple will be contacted again in about a month.

C. [Park Project Update - PS Huss](#)

PS Huss reported on recent park work duties. A lot of tree work. Some flowers had to be replaced at Smith Park gardens, recent break-in at pool concession stand, Pleasants Park tennis court project successfully re-bid, seasonal caretaker is working some weekday evenings, special block graffiti sealant will be put on west side of Hart Park shelter, vandalism has been down lately.

D. [Park Vandalism Correspondence - PS Huss](#)

Park vandalism letter from PS Huss was reviewed. Little vandalism has been reported during the last three weeks.

6. DISCUSSION

A. [Theda Care Picnic - September 13, 2008 in Jefferson Park](#)

Julie Pollnow, who works for an event planning company, described the second annual ThedaCare company picnic to be held on September 13, 2008 at Jefferson Park. PRD Tungate has met with the group three times over the past several months. Most recently to discuss a fireworks show planned to occur at approximately 8:30 PM. Fire Department officials have given tentative approval of the show. An on-site meeting still has to be scheduled. For its large size, the event went well last year. Street parking issues will be covered through a forthcoming Street Use Application. Ms. Pollnow presented a map depicting the entire event set up.

B. R & R Softball Tournament - August 8-10, 2008 in Jefferson Park

Kathy Bayer was present to describe the upcoming R & R Softball Tournament August 8-10, 2008 in Jefferson Park. The event is sponsored by Menasha Youth Sports.

C. 2009 Park and Recreation Budgets (previously received)

Moved by George Korth, seconded by Tom Konetzke to recommend to offer a free admission day at the pool in 2008 as a way to encourage more people to come to the pool. Motion carried 6-0.

The entire 2008 budget was reviewed by the Board. Comments will be taken into consideration by the Mayor and staff when the 2009 budget is prepared. A brief summary of comments include:

1. Softball employee wage amount is variable due to the number of teams, consider more emphasis on skatepark supervision than ice rink supervision (August agenda item).
2. In the future, pursue school district interest in tennis court reconstruction and other capital projects based on their actual percentage use of the facility. Better enforcement of daily boat launch parking passes is needed. Consider rotating different colored envelopes and use of the Code Enforcement officer to address this situation. The idea of choosing a specific park and focusing on the parks specific needs in the budget was discussed.
3. The manner in which the needs of the pool should be addressed was discussed. PS Huss and PRD Tungate will discuss a list of possible maintenance projects and select ones that are top priority. It was also suggested that the pool be slotted somewhere on the forthcoming City Capital Improvement Plan to be developed by Mayor Merkes.
4. Consider more contracted fall planting so that trees can get in the ground by early May. Grass cutting has affected the park crews ability to plant trees at this time. Racine Street was selected as a priority planting area for 2009. RR Donnelly trees were also discussed. Mayor Merkes will contact them.
5. Rather than a cash allocation, consider other ways of providing Heckrodt Wetland Reserve with service. In-kind city labor or Heckrodt Wetland Reserve volunteering to perform services to be city should be explored.
6. The Marina re-decking project was discussed. The plan is to complete the project in 2009 provided the Marina Fund has sufficient money to cover the costs of the project.
7. Consider raising wedding fees at Smith Park. Memorial Building updating should be put on the proposed City Capital Improvement Plan.
8. About \$80,000 is in the Park Development Fund. Fee should be increased from \$300 to \$550 as soon as possible.

Motion Passed
Results:

D. Status of Dog Ordinance O-09-08 Renewal and Park Dedication Fee Ordinance Revision

Mayor Merkes will discuss the fee in lieu of Parkland fee with CA Brandt. Ald. M. Taylor stated he would sponsor the ordinance revision and fee increase. Ordinance O-10-08 was previously discussed.

E. Barker Farm Park and Carpenter Street Trail Connection

A Memorandum of Understanding with the Town of Harrison to construct a bike/pedestrian access trail from Carpenter Street to Plank Road and into Barker Farm Park will be sent to the Common

Council soon. City staff will be reviewing the site and design in the coming weeks.

F. Potential Park Eviction

PRD Tungate stated a park eviction letter has been sent to a juvenile offender. He will keep the Board informed on the status of this eviction.

7. ACTION ITEMS

A. Approval of Theda Care Picnic - September 13, 2008 in Jefferson Park

Moved by Nancy Barker, seconded by George Korth to approve the ThedaCare picnic on September 11-14, 2008 in Jefferson Park with specific picnic date being September 13.

Note that application includes set up before September 13 and clean-up/tear down on September 14.

Motion carried 6-0.

Motion Passed
Results:

B. Approval of R & R Softball Tournament - August 8-10, 2008 in Jefferson Park

Moved by George Korth, seconded by Ronald Suttner to approve the R & R softball tournament on August 8-10, 2008 in Jefferson Park.

Additional comment: #3 outlet at the East Shelter trips the breaker when NESCO's are used. Light in the shelter is malfunctioning, park diamond crew was complimented.

Motion carried 6-0.

Motion Passed
Results:

8. ADJOURNMENT

A.

Moved by George Korth, seconded by Alderman Taylor to adjourn at 8:49 PM.

Motion carried 6-0.

Motion Passed
Results:

CITY OF MENASHA
Parks and Recreation Board
Council Chambers, 3rd Floor City Hall - 140 Main Street, Menasha
July 16, 2008

MINUTES

 + [Back](#)  [Print](#)

1. CALL TO ORDER

Meeting was called to order by Vice-Chairman T. Konetzke at 1:00 PM.

2. ROLL CALL/EXCUSED ABSENCES

A.

Members Present: Vice-Chairman Tom Konetzke, Mary Francis, George Korth, Nancy Barker

Members Excused: Chairman Dick Sturm, Ron Suttner, Ald. Michael Taylor

Others Present: PRD Tungate, PS Huss and James Taylor, Addie Mahoney and Stacey Reinhardt representing Community Forward, Inc. (Otto Grunski Family Festival and Market on Main)

3. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A.

G. Korth suggested a no right turn sign be placed off of Third Street before the boat trailer parking lot on the east end of Jefferson Park.

4. DISCUSSION

A. [Otto Grunski Family Festival - July 26, 2008 Curtis Reed Square](#)

James Taylor described both the Otto Grunski Family Festival to be held on July 26, 2008 and the Market on Main event to be held July 26, August 2, August 9, August 16, August 23, August 30, September 6, September 13 and September 20, 2008 in Curtis Reed Square. Board members had questions about security, alcohol, street closing, fees, music times, where the proceeds go and stage requirements. It was stated that the music would likely be off by 9:30 PM. The Board was supportive of the events. PRD Tungate encouraged Mr. Taylor to come in a couple months earlier in the future so that last minute Board meetings are not necessary.

B. [Market on Main Events - July 26, August 2, August 9, August 16, August 23, August 30, September 6, September 13, September 20 - Curtis Reed Square](#)

C. Request to Include Community Forward, Inc. to the Exempt List on the City Policy on the Use of City Stage, Picnic Tables, Bleachers, Refuse Containers and Park Benches by Non-Profit Groups

Community Forward, Inc. requested to be placed on the Fee Exempt list for use of the city stage, picnic tables, etc. Mr. Taylor stated that Community Forward, Inc. has taken over festival/event planning functions that the downtown Menasha Action Council (MAC) used to carry out. Board members seemed to want more time to consider this request. G. Korth asked that it be placed on the August meeting agenda. PRD Tungate stated that Mayor Merkes and Ald. Steve Pack are planning to explore ways of receiving reimbursement for city services for special events, so adding another organization to the exempt list might be counter-productive. There is also no need to decide this now because it will be quite awhile before Community Forward, Inc. would be invoiced for any upcoming events.

D. Offer Free Admission Day at Jefferson Pool on Saturday, August 2 or August 9, 2008

The Board continued its discussion from their last meeting regarding offering a free admission day at the pool. PRD Tungate suggested that August 9 be considered over August 2 because a company picnic is already planning to send a group to the pool. August 9 has a coed softball tournament in the park, so a lot of people will have a chance to use the pool. The Board liked the idea because it might encourage people to come to the pool who for whatever reason may have been hesitant in the past. PRD Tungate said it is hard to predict what the revenue loss would be, but it could be around \$400-\$600.

5. ACTION ITEMS

A. Otto Grunski Family Festival - July 26, 2008 Curtis Reed Square

Moved by George Korth, seconded by Nancy Barker to approve the Otto Grunski Family Festival on July 26, 2008 in Curtis Reed Square.

Motion carried 4-0.

Motion Passed
Results:

B. Market on Main Events - July 26, August 2, August 9, August 16, August 23, August 30, September 6, September 13, September 20 - Curtis Reed Square

Moved by Nancy Barker, seconded by George Korth to approve the Market on Main events on July 26, August 2, 9, 16, 23, 30, September 6, 13 and 20, 2008 in Curtis Reed Square.

Motion carried 4-0.

Motion Passed
Results:

C. Request to Include Community Forward, Inc. to the Exempt List on the City Policy on the Use of City Stage, Picnic Tables, Bleachers, Refuse Containers and Park Benches by Non-Profit Groups

No action was taken on this item.

D. Offer Free Admission Day at Jefferson Pool on Saturday, August 2 or August 9, 2008

Moved by George Korth, seconded by Nancy Barker to recommend a free admission day be offered at the pool on Saturday, August 9, 2008.

Further discussion - some means of tracking new or returning customers should be developed and the day should be marketed to families.

Motion carried 4-0.

Motion Passed
Results:

6. ADJOURNMENT

A.

Moved by George Korth, seconded by Nancy Barker to adjourn at 1:49 PM.

Motion carried 4-0.

Motion Passed
Results:

DRAFT

CITY OF MENASHA
Plan Commission
Third Floor Council Chambers, 140 Main Street
July 8, 2008

DRAFT MINUTES

1. CALL TO ORDER

Mayor Merkes called the meeting to order at 3:30 p.m.

Mike Hagens, N319 Breezewood, Appleton stated his concerns with allowing a kennel next to properties that he owns. Mr. Hagens explained the subdivision covenant restriction of 2 dogs.

Don Verkuilan, 2889 Manitowoc Road, presented his case for the proposed kennel operations. He is a professional dog trainer.

2. ROLL CALL/EXCUSED ABSENCES

A. -

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, DPW Radtke, Ald. Zielinski, and Commissioners Schmidt, Cruickshank, Sanders, and Sturm

PLAN COMMISSION MEMBERS EXCUSED: Ald. Benner

OTHER PRESENT: CDD Keil, AP Beckendorf, Don Verkuilen, Steve Andrysczyk, and Michael Hagens

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Minutes of the June 17, 2008 Plan Commission meeting

Moved by Comm. Sanders, seconded by DPW Radtke to approve the minutes of the June 17, 2008 Plan Commission meeting with the removal of Ald. Hendricks as a voting member

Motion Carried on voice vote

Results:

Communications:

A. Letter from Paul Konetzke - review of city ordinances

Moved by DPW Radtke, seconded by Comm. Sanders to accept the communication from Paul Konetzke.

Commissioners discussed employing an expert to look at some of the recommendations in the letter.

Motion Carried on voice vote

Results:

4. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. -

None.

5. ACTION ITEMS

A. Re-evaluation of Future Land Use Plan Map (previously submitted in Chapter 8 of the Comprehensive Plan)

Moved by Mayor Merkes, seconded by Comm. Sanders to confirm existing Mixed Use designation for the River Street and Ahnaip Street properties as shown on the Future Land Use Map

AP Beckendorf described the properties in question and explained that the Plan Commission had changed the proposed land use twice.

Commissioners discussed the following:

- Most appropriate use for both locations
- The region is currently in a transitional period

Motion Passed

Results:

Roll Call:

AYES:	Cruickshank , Merkes, Radtke, Sanders, Schmidt	(5)
NAYS:	Sturm	(1)
ABSTAIN:	Zelinski	(1)
ABSENT:	Benner	(1)

B. Special Use Permit of Don Verkuilen to operate a kennel at 2889 Manitowoc Road (Parcel # 7-810-49)

Moved by Comm. Sturm, seconded by Mayor Merkes to deny the special use permit application of Don Verkuilen to operate a kennel at 2889 Manitowoc Road

Motion Other

Results:

Moved by DPW Radtke, seconded by Comm. Sanders to table the special use permit application of Don Verkuilen to operate a kennel at 2889 Manitowoc Road

Commissioners discussed the following:

- Ordinance complications
- Whether a kennel in the proposed location would be an appropriate use
- Requiring screening to shield neighboring properties
- The difference between a Special Use Permit and Conditional Use Permit

Motion Passed

Results:

Roll Call:

AYES:	Cruickshank , Merkes, Radtke, Sanders, Schmidt, Zelinski	(6)
NAYS:	Sturm	(1)
ABSENT:	Benner	(1)

6. ADJOURNMENT

A. -

Moved by Comm. Schmidt, seconded by Comm. Sanders to adjourn at 5:03 p.m.

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

June 25, 2008

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:37 A.M., with Commissioners Joe Guidote, and Don Merkes present on roll call. Also present were Doug Young, General Manager; Melanie Krause, Manager of Business Operations; and City Attorney Jeff Brandt.

In the absence of Commission Secretary Watson, Commission President Allwardt appointed Comm. Guidote as Acting Secretary for this meeting.

Item II. The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved on roll call at 7:38 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Litigation

At the conclusion of the discussion, the motion by Comm. Guidote, seconded by Comm. Merkes was unanimously approved on roll call at 8:19 a.m. to convene into Open Session of the Menasha Utilities Commission. Joining the meeting at this time were Lonnie Pichler, Electric & Water Distribution Supervisor; Dave Rodriguez, Manager of Customer and Utility Services; Kristin Schalinski, Business Operations Accountant; John Teale, Technical Services Engineer; and Chris Voigtlander, Energy Services Representative.

Item III. No one from the Gallery was heard on any topic of public concern to the Utility.

Item IV. Motion made by Comm. Merkes, seconded by Comm. Guidote, was unanimous on roll call to approve the following:

- A. Minutes of the Regular Meeting of May 28, 2008.
- B. Checks dated June 3 - 26, 2008, which includes Net Payroll Voucher Checks, Void O & M Check #033676, and Operation and Maintenance Voucher Checks for a total of \$1,382,155.81, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- C. Correspondence, as listed.
 - Copy of letter dated May 15 to Melanie Krause, Manager of Business Operations, from Debra Martinelli, Bureau of Community Financial Assistance, DNR, re: Safe Drinking Water Loan Program
 - Copy of memorandum dated May 22, to Members of the Senate Committee on Commerce, Utilities and Rail, from MEUW Executive Director Dave Benforado, re: Confirmation of PSC Chair
 - Copy of memorandum dated June 18 to WPPI Member Managers, from Tammy Freeman, re: Typical Bill Comparison Summary

General Manager Young commented on the correspondence regarding the Safe Drinking Water Loan dispersing loan funds up to 97%. He also noted Menasha's residential rates on the bill comparison summary are consistently 25% lower than those of WE Energies.

Item V. May Financial and Operations Statement – Manager of Business Operations Krause reported the CP4 revenues on the electric financial statements were higher due to the Demand Cost Adjustment and Energy Cost Adjustment. There was an increase in water consumption by SCA and the Town of Menasha for the month. On the steam financial statement, the labor portion increased substantially due to the outage, steam expenses were higher because of annual air emission fees paid, and maintenance cost this month reflect the outage costs budgeted in April.

After discussion, the Commission accepted the May Financial and Operations Statement as presented.

Item VI. Claims Against The Utility – Mrs. Krause reviewed the claim received from Lori Keddell for a problem that occurred on June 2, 2008. After investigation of the incident it was found that equipment failure was the cause of the incident and that the arrestor had no visible signs of defect; there was no negligence on the part of Menasha Utilities.

The motion by Comm. Guidote, seconded by Comm. Merkes was unanimously approved to issue a formal notice of disallowance for the claim of Lori Keddell, 820 Fifth Street and that she is advised of her statutory rights pursuant to Wis. Stats. 893.80.

Item VII. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes.

Comm. Guidote made a motion to approve the purchase orders as listed. Comm. Merkes expressed concern with P.O. 6199 to August Winter in the amount of \$24,500 to introduce fresh air and exhaust hot air from the basement at the Steam Plant. Staff indicated they may be able to install fans as the first phase of a ventilation plan for the basement area at a lower cost. This item was not listed as part of the work-out plan and Comm. Merkes stated there were numerous other items on the plan that would improve cash flow and efficiencies. The installation of fans as phase one could be completed, and if that does not work the request could be brought back to the Commission.

Comm. Guidote amended his motion to exclude P.O. 6199; the motion was seconded by Comm. Merkes and approved unanimously on roll call.

Item VIII. Unfinished Business, Work-Out Plan – Mrs. Krause distributed an updated report, and stated much of the time has been dedicated to the outages and #5 turbine/generator. The superintendent position has not been formalized as of this time because of the outage issues.

In response to Comm. Allwardt's question regarding equipment maintainability, General Manager Young stated the #3 boiler is in good shape, and some minor maintenance was done on #4. The outstanding item is the #5 turbine and final commissioning of its operation. The #4 turbine is currently running and #3 was running until May.

Comm. Allwardt requested an equipment availability/operations index be developed as part of the Steam Utility Report.

#5T/G Update – General Manager Young reported all the repairs have been made on the turbine/generator. Dresser Rand is on site today, and the plan is to have the unit on line by the end of the day and then begin final commissioning of the unit.

Item IX. New Business, City of Menasha Fireworks – Mayor Merkes stated the community appreciates the fireworks and this is a good way to be part of the community.

The motion by Comm. Guidote, seconded by Comm. Allwardt, was unanimously approved to authorize a \$1,000 donation to the Fourth of July fireworks show that was budgeted for 2008.

ATC Voluntary Capital Contributions – it is the recommendation of staff to forego the ATC Voluntary Capital Contribution and to recommend WPPI be allowed to purchase the capital call.

The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to allow WPPI to complete the Call for Voluntary Additional Capital Contributions if they choose to do so.

833 Broad Street Roof Repair Recommendation – Manager of Customer and Utility Services Rodriguez reviewed the bid tabulation from four vendors.

The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved on roll call to authorize the low bidder, M & M Exterior Construction, to remove and replace the roof at 833 Broad Street.

Third Street Water Main Project – Mrs. Krause stated the published funding list from the DNR is not available at the current time, but we did meet the debt coverage test so there are indications that funding will be available for this project.

Electric and Water Distribution Supervisor Pichler reported the water main is tentatively scheduled to be replaced next spring. This item was included in the 2008 budget but it made better financial sense to do in 2009. The Department of Transportation had no objections since it would be done prior to their start date.

Water Plant Professional Service Agreement, Plumbing Modifications – General Manager Young reviewed the cross connection protection project in the old Water Plant to bring those systems up to current code. The cost of these services would be part of the contingency funds from the Safe Drinking Water Loan.

The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimous on roll call to accept the Agreement for Professional Services from McMahon Associates.

General Manager Young also addressed a second agreement from McMahon Associates relating to automation of the sludge blow-down which was received too late to include in the packet. Because this item was not listed on the agenda, the Commission recommended this item be held until the next Commission meeting.

Item X. Project Reports, Water Plant Project – General Manager Young reported the UV system is working. There are two minor issues remaining, one with the soda ash system to adjust some minor valves, and the other is the UV commissioning/certification from the DNR.

Melissa Substation Transformer Repair – Technical Services Engineer Teale reported the ship date has been moved to the end July. Krause Engineering, Eau Claire, has been retained to supervise the testing of the transformer. It is anticipated the transformer will be commissioned by the middle of September.

Item XI. Staff Reports, General Manager – there were no additional questions to the report presented.

Electric and Water Distribution/Safety Report – Mr. Pichler stated Menasha Utilities received the MEUW Safety Achievement Award for 2007. This award encourages pro-active safety activities.

He reported the Water Distribution crew replaced water main on Garfield Street. He also gave an update on a meeting held with City personnel regarding street repairs.

Steam Utility – General Manager Young gave an update on a smoldering ash fire in the ash silo. Mobile vacuum trucks were used during the two days required to extinguish the hot ash. Bag replacements are required.

Water Plant – General Manager Young stated the Granular Activated Carbon system is being used, and the recirculation pump is working well.

Telecommunications & Substations, Business Operations, and Customer and Utility Services - there were no additional questions to the reports presented.

Energy Services Representative/Key Accounts – Energy Services Representative Voigtlander gave an update on the Large Customer Meeting held on June 18.

Item XII. No one from the Gallery was heard on any items discussed at this Meeting.

Item XIII. The motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved on roll call to adjourn at 9:35 a.m.

By: Joseph P. Guidote
Acting Secretary

NOTE: THESE MINUTES ARE NOT TO BE CONSIDERED OFFICIAL UNTIL ACTED UPON AT THE NEXT REGULAR MEETING, THEREFORE, ARE SUBJECT TO REVISION.

JUNE 2008 Disposal Violations

Date	Address	QTY	Comment
06/02/08	Unknown		yardwaste & refuse in comingled container in recycling center - pic
06/02/08	Unknown		6 paint cans (hazardous material) and a microwave on battery pallet. Permit #5607 \$15.00
06/05/08	Unknown		computer printer (must be recycled) in recycling center
06/05/08	Unknown		refuse in comingled container in recycling center
06/05/08	Unknown		bag of refuse in recycling center - pic
06/06/08	Unknown		3 computer monitors (behind building @ old salt shed) and 1 printer (outside recycling center) -pic
06/10/08	Unknown		Pickup truck load of brush dumped outside of yard area
06/10/08	Unknown		concrete birdbath, cardboard box of construction lumber in scrap metal area
06/10/08	Unknown		***computer hard drive behind recycling center-must be recycled by us
06/11/08	Unknown		wood step ladder, LP tank, patio umbrella, plastic garbage can, plastic bins in scrap metal area-pic
06/13/08	Unknown		styrofoam, garbage can in recycling center; fridge w/o permit in appliance area-permit #5617 \$15.00
06/16/08	Unknown		approx 100' of garden edging, wood trellis, & plastic sled in co-mingled roll-off containers in yard
06/16/08	Unknown		microwave dumped at Broad St. parking lot refuse area \$15.00, permit #5624
06/17/08	Unknown		dehumidifier & fridge in appliance area without permits \$30.00 permits #5627 & 5628
06/17/08	Unknown		concrete birdbath in yardwaste area
06/20/08	Unknown		concrete in yardwaste area
06/24/08	Unknown		2 refrigerators with appliances without permits \$30.00 permits #5633 & 5634; car tire in brush pile-\$1.00
06/26/08	Unknown		cleanup items from Broad St Parking Lot-
06/30/08	Unknown		fence post, in yardwaste area
06/30/08	Unknown		3 gallons of paint (from yardwaste pile) went through county grinder (we are renting to process yardwaste)
			***FREON APPLIANCES & MICROWAVES IN SCRAP METAL THAT ARE NOT CAUGHT GO TO PROCESSING AT SADOFF. IF DISCHARGED AT THEIR FACILITY WE RISK NOT HAVING SCRAP METAL COLLECTED IN THE FUTURE BY SADOFF OR ANY OTHER METAL VENDOR.
			***ELECTRONICS MUST BE RECYCLED BY US WHEN DROPPED OFF AT OUR FACILITY (CURRENTLY APPROXIMATELY \$0.35 PER POUND) - average weight of each electronic 10#
\$	21.00	6	
	unknown	3	Clear fill (concrete, sod, etc) dumping violations - we must transport to Badger Hwys for disposal
	unknown	2	Hazardous material disposal violations - cost to remove unknown - removed twice each year approx cost \$750/year
\$	100.00	10	Bulky item disposal (\$10.00 each)
\$	120.00	8	Freon or Microwave Disposal Permits (\$15.00 each)
\$	4.50	1	LP Tank disposal (\$4.50 each)
\$	2.00	1	Tire disposal \$2.00 each
\$	120.00	4	Refuse disposal violations (\$30/2 yard dumpster rental)
\$	40.00	2	Yardwaste disposal violations (\$20/min pickup charge)
\$	170.78	22	Total disposal violations-cleanup (15 minutes/cleanup X \$31.05/hr wage + benefits)
\$	578.28		JUNE 2008 TOTALS
Not included: gas cans () & compressed gas cylinders () will be disposed of with other hazardous waste left here illegally.			
Incident like those listed above are reasons other communities have closed their drop off sites.			



TO: Mayor Merkes
Chief Stanke

FROM: Lt. Chuck Sahr *CS*

RE: Livescan grant

DATE: July 7, 2008

The purpose of the following memo is to provide further insight into the "Livescan Implementation" grant that was recently awarded to the city of Menasha.

While attending the Wisconsin Department of Justice (DOJ) Crime Information Technology Conference in Eau Claire, WI last September, I learned that DOJ receives approximately 93% of their fingerprint images through electronic fingerprint systems from Law Enforcement Agencies around the state. Menasha Police Department still uses an ink and roll paper system. These fingerprints are sent to DOJ who then digitizes the fingerprints. I also became aware of an 80/20 cost share grant to award funds for the purchase of Livescan equipment (electronic fingerprint capturing device and software). The project was looking for approximately 20 interested agencies and funding could become available in early 2008.

I conferred with Chief Stanke and it was decided our Department was interested in upgrading our fingerprinting capabilities. I submitted a letter of interest to Joan Wolfe from DOJ to notify us when the Livescan grant project would be accepting applications.


In February 2008, I was notified by DOJ that the city of Menasha was determined eligible for these funds based on the volume of fingerprint images submitted, the methods used to submit impressions, and the state's goal to increase the volume of direct impression submissions. A formal Egrant application was then submitted. The formal acceptance documents were recently signed by us and returned to DOJ.

The Livescan implementation grant is in the amount of \$17,000. The federal funds distributed by DOJ will cover \$13,600 and our Department/City needs to match with \$3,400 (80/20 cost share). The funds are available until September 30, 2008.

I am currently in the process of reviewing vendors that meet Wisconsin's specifications for the electronic submission of fingerprints.



MEMO

TO: Common Council
FROM: Mayor Don Merkes 
SUBJECT: Special Common Council Meeting
DATE: July 17, 2008

A Special Common Council meeting is scheduled for July 23, 2008 at 5:00 p.m. for the purpose of acting on borrowing resolutions. Please let me or the Clerk's office know if you are unable to attend this meeting. The agenda packet will be forth coming.

Thanks.

Town of Menasha
Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, June 9, 2008

Minutes

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and present were President Tews, Commissioner Gerhart, Commissioner Hanson, Commissioner Ziegler and Commissioner Youngquist.

Also present were Administrator Sturgell, Com. Dev. Dir. Dearborn, Engineer Werner, Accts. Mgr./Deputy Treas. Pagel, Wastewater Supt. Laabs, Water Supt. Roth, Paul Caspers, Beverley Caspers, Rich Hedman, Melvin Schultz, Patti Haase, Pat Dobberke, Claude Foster, Penny Troiber, Terrance Buck, William Ottow, Dale McNamee, Mike Dillon, Paul Eisen, and Shelly Allness. Excused was Finance Director Piergrossi.

2. AWARDS/PRESENTATIONS

3. PUBLIC FORUM

Paul Caspers of 926 Millbrook Drive informed the Board of flooding in his yard by the creek. He contacted Town staff who came to look at the problem and was told the creek was a DNR issue and should contact them. After speaking with the DNR, Beverley Caspers stated they were referred back to the Town again. He described the flooding which he feels is being caused by large concrete blocks sitting in the creek and causing the water to back up. He further described logs floating and makeshift bridges going over the creek which are moving with the flow of water, along with animals such as muskrat that are coming down the creek.

Rich Hedman of 936 Millbrook Drive had similar complaints. He has just over one acre and stated these blockages caused approximately 1/3 his property to fill with water.

President Tews referred the issue to staff to see who will be removing the debris. The property owner asked whether the Commission would like to see pictures of the flooding to which they agreed and he offered to bring them in.

4. DISCUSSION ITEMS

- a) **Water & Sewer Connection Ordinance Amendment:** Administrator Sturgell gave another summary of this ordinance and explained currently when sewer runs across a property; the property owner is required to hook up within 360 days. He explained staff had worked through an impact fee study and discussed when to suspend deferral of the current ordinance. Staff also discussed a draft of the proposed ordinance amendment and exceptions for some private wells and septic systems still working. Administrator Sturgell stated with the exception of a couple property owners who already had prior recorded documents with Winnebago County, others would have to meet the requirements for hook up.

Commissioner Youngquist suggested a change to Municipal Code Chapter 28.25 Mandatory Connection to Sewer and Water, (2) Exceptions, (g): Any structural modifications, and include the words "that required additional sewer or water capacity" to said house or building will require connection to public water and sewer within 90 days of such event.

Commissioners discussed the pros and cons of requiring hookup upon the sale of a property. Comm. Dev. Dir. Dearborn felt it appropriate to require hook up to public water and sewer due to the fact that the Town is in an arsenic area and problems can occur and occur rapidly. The DNR said wells now must be tested for not only bacteria, but for arsenic. Other reasons he gave were septic system failures when a sale occurs and family sizes change (increase) causing different usage with their system, as well as with an increase in water usage when a larger family moves in. Another example was using a garbage disposal which can affect the system and failure can occur. Water Superintendent Roth agreed with Director Dearborn and gave comments.

Res. Claude Foster, Irish Road, spoke about old wells that were built on rock ledges and stated they will fail; stated if he sold his property, would sell to a developer and doesn't agree with spending a lot of money to pay for a pipe from the road to his house to have it bulldozed; has issues with the proposed amendment and says he tests his well now every 3 years. Staff and Commission members discussed. Commissioner Youngquist suggested wording to address specific numbers of acreage, as well as if/when an individual or developer sells, so there is some middle ground for circumstances. He proposed annual testing versus testing every three years. Commissioner Hanson disagreed on hookup and feels undue costs are placed on those who currently have good working well and septic systems and make a prospective property for sale unattractive putting a damper on its sale. Commissioner Gerhart suggested as

a requirement to a property sale, a check of increased usage in six months after the sale occurred. In addition, he does not agree with having to spend money to hook up if their systems are good. President Tews stated if residents had their wells tested and water was found to contain more than just what the average test includes, he feared it would come back to the municipality and wants to eliminate that from happening.

Res. Pat Dobberke wondered how the Town would be negligent and stated buyers should assume some responsibility when researching as a prospective home buyer in the Town.

Res. Patti Haase, E. Shady Lane, stated she understands how a sale can be affected due to the presence of arsenic; doesn't understand why the Town would be liable; stated residents with large amounts of land and good systems should maybe be grandfathered in; stated those with several hundred feet and unnecessary hook up will find it very expensive, and felt distance should be a part of the ordinance. Administrator Sturgell made the point that it is not uncommon in municipalities across the county to have a hookup ordinance in a specific period of time. He further pointed out that we are stretching the time period [for payment of assessments] out even longer than it was, and reminded residents that the reason for providing public sewer/water is to have safe drinking water and proper disposal of waste water. Director Dearborn suggested a second test for arsenic as well as extensive testing for the presence of pesticides, lead, and more.

President Tews stated he wanted to test for more than bacteria and in addition, wants the next home owner moving in to know their well is ok. He asked that when the information on pricing becomes available, this topic be placed on a future meeting.

5. OLD BUSINESS

6. NEW BUSINESS

a) 080609-1:UD Accept Compliance Maintenance Annual Report

MOTION: Youngquist/Gerhart to adopt as submitted. Motion carried.

b) 080609-2:UD Expenditures

MOTION: Youngquist/Ziegler to approve the expenditures as submitted with the exception of none. Motion carried.

7. ORDINANCES/POLICIES/AGREEMENTS

8. APPROVAL OF MINUTES

a) Regular Meeting - May 19, 2008

MOTION: Hanson/Gerhart to dispense with the reading of the above minutes and approve as submitted. Motion carried.

9. CORRESPONDENCE

a) Water Main Breaks - April 2008

b) Water Pumpage Report - May 2008

MOTION: Hanson/Youngquist to accept the correspondence for filing as submitted. Motion carried.

10. REPORTS

a) Water Superintendent Roth - Stroebe Road Water Main: The water main installation has been completed but had to reschedule the hookup to this coming Saturday due to rain.

11. MOTIONS BY COMMISSIONERS

12. ADJOURNMENT

At 5:58 p.m., MOTION: Gerhart/Hanson to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

- PROPOSED MINUTES -

WAVERLY SANITARY DISTRICT

June 10, 2008

District Office - N8722 County Rd. LP

The meeting was called to order at 8:30 a.m. by President Helcin.

Present: President Helcin (WCH)	Operator Vick (DAV)
Commissioner Sambs (MLS)	Operator Krueger (RWK)
Commissioner Fulcer (LJF)	Operator Van Zeeland (TGV)
Engineer Martenson (SCM)	Office Mgr. Girdley (CMG)
Mike Hagens – Hagens Const.	Admin. Asst. Hallock (SAH)

Approval/acceptance of the 5/13, 5/21, and 5/28/08 Meeting Minutes was accomplished through LJF's motion and MLS' second. Motion carried 3-0.

Receipt acknowledgement and approval of the May 2008 Financial/Budget Comparison Reports was accomplished through MLS' motion and LJF's second. Motion carried 3-0.

Invoices were approved for payment and checks were signed prior to the meeting.

COMMUNITIES/CUSTOMERS/SERVICE CONCERNS

Appleton's Rate Review – CMG to report status

CMG stated WSD has not received contact/information from the COA since WSD's 5/13/08 meeting but anticipates COA contact soon.

OLD BUSINESS

- Water Sample Tests' Results

DAV reported all five tests taken on 5/21/08 were determined as safe by the State of Wisconsin. (Attachment #1, pp. 1-5)

- Force Main Connection – Meter station's monitoring data discussion

- Meter station's required (additional) restoration work

DAV reported LS #1 meter could be measuring approximately 4% higher than COM's meter because the LS #1 meter reads in 100 gallon increments while COM's meter reads in gallons. DAV contacted a technician to discuss calibrating LS #1's meter to read in 1 gallon increments (approximate cost: \$500). Because LS #1's meter has a digital LED readout, DAV assumes it should read in 1 gallon increments. SCM agrees with the above procedure, but is uncertain whether LS#1's meter can read in gallons. DAV/SCM agree the technician will be hired to calibrate LS#1's meter to read in gallons.

DAV/SCM discussed how pressure surges could be causing the meter reading discrepancies and agree the second step might be to install a pressure gauge to monitor bouncing. When District personnel do the calculations for the drawdown, every one of them is below the meter reading. It should be bouncing back and forth but it's not.

WAVERLY SANITARY DISTRICT

June 10, 2008

Page 2

OLD BUSINESS - CONTINUED

- **Force Main Connection – Meter station's monitoring data discussion**

- **Meter station's required (additional) restoration work - continued**

The third consideration would be to change the meter. The meter cost would be offset by future lower NMSC charges. NMSC bills WSD for its flows, in addition to the BODs and SS. If the meter is reading 4% high, WSD is currently being overcharged by NMSC on the flow charge.

SCM/CMG reported the metering station's additional restoration work has been completed. CMG reported COM's invoice to WSD for WSD's share of the restoration remains outstanding. Metering station lawn maintenance was discussed, but nothing specific decided.

- **Future Water Supply Connection (2nd) to Appleton – Water main extension status discussion**

- **Dorner Inc.'s Invoice – review/approval**

SCM reported Dorner Inc. has completed the stub installation across LP Rd. DNR approval has been received for water main extension to the Rennis property. SCM is continuing negotiations with Kastor for a site acquisition for WSD's metering station.

CMG presented Dorner Inc.'s \$10,972.50 invoice for Commission review/approval. MLS moved/LJF seconded invoice approval/payment. Motion carried 3-0.

GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS)

- **Birling Court Extension (Andrysczyk) – Project status report**

SCM stated Andrysczyk informed SCM he is waiting for the housing market to improve.

- **Lake Park Condominiums – Project status report**

SCM has not received contact/information regarding this project since WSD's 5/13/08 Meeting.

- **Outagamie LLC Future Development – Project status report (18 acres)**

Location: North of Woodland Terrace and south of Manitowoc Rd.

SCM has not received contact/information regarding this project since WSD's 5/13/08 Meeting.

- **Crestwood Subdivision – Location: Southside of Midway Road – Off Cottonwood Drive – Between Eternal Love Lutheran Church and Barker Farm Estates**

SCM has not received contact/information regarding this project since WSD's 5/13/08 Meeting.

- **1st Addition – Lake Park Heights – Project status report**

SCM has not received contact/information regarding this project since WSD's 5/13/08 Meeting.

WAVERLY SANITARY DISTRICT

June 10, 2008

Page 3

NEW BUSINESS

- **Establish the July Meeting Date – Tuesday, July 8, 2008 (8:30 a.m.) District Office**
Tuesday, July 8, 2008 at 8:30 a.m. was established as the July meeting date/time. The meeting will be held at the District's office.

OFFICE REPORT (Attachment #2, pp. 1-9)

CMG briefly reviewed the Office Report for those in attendance. All items reviewed are included in the attached Office Report.

FIELD REPORT (Attachment #3A, pp. 1-5 & Attachment #3B)

A Field Report was not submitted for meeting minutes' attachment.

DAV reported the Lift Stations performed well during the recent heavy storms.

DAV stated this would be his last meeting based on his 6/30/08 retirement date. DAV expressed his appreciation for having the opportunity to work for WSD and extended an invitation to his retirement party to be held at the Stone Toad on Friday, 6/27/08 at 3:30 p.m.

OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION**Full-Time Operator Position – Available interview dates/times discussion/selection**

The Commission agreed to schedule a special meeting on June 26, 2008 at 4:00 p.m. to conduct the interview for WSD's full-time operator position. CMG stated the annual CMAR report is due 6/30/08. Before the on-line submittal, a resolution is required. The resolution will be presented for Commission approval at the 6/26/08 meeting as well.

Woodland Trails Subdivision Outlot #2

Hagens explained he planned to purchase the Hietpas farm for future development and established outlot #2 to accommodate a 40 ft easement to allow for a future lift station that would have been installed to service the Hietpas farm. However, the Hietpas farm has been sold to another party eliminating the need for outlot #2. Hagens plans to dissolve outlot #2 and make it part of lot #56. CMG stated TOH does not have any issues regarding dissolving outlot #2 since the TOH considered it too shallow for service extension.

MLS moved/LJF seconded stating for the record that WSD does not have any issues regarding eliminating outlot #2 and making it part of lot #56. Motion carried 3-0.

Forth of July Holiday Closing

The Commission agreed WSD will be closed Thursday, 7/3/08 as well as Friday, 7/4/08 in observance of the Fourth of July Holiday. Proper posting of the closing notice will occur.

JUL-10-2008 14:14 FROM: WAVERLY SANITARY 3201312500 10:520 967 3273 P.005/005

WAVERLY SANITARY DISTRICT

June 10, 2008

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OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION - CONTINUED

Since there wasn't any other business to legally come before the Commission, L/JF moved/MLS seconded meeting adjournment. Motion carried 3-0.

Meeting adjourned at 9:05 a.m.

Submitted by Susan A. Hallock

MEMORANDUM OF AGREEMENT between THE WISCONSIN HISTORICAL SOCIETY by and through THE STATE HISTORIC PRESERVATION OFFICER and the **City of Menasha** for the **completion of an intensive survey project identified as Project No. 55-08-21754-05.**

THIS AGREEMENT between the Historic Preservation Division, Wisconsin Historical Society, by and through the State Historic Preservation Officer, hereinafter called the SOCIETY and the City of Menasha hereinafter called the SUBGRANTEE, will undertake a historic preservation project to be assisted with a grant-in-aid to support the National Register of Historic Places program in Wisconsin. The program was established by the National Historic Preservation Act of 1966, as amended, and is administered by the National Park Service, U.S. Department of the Interior. The Catalog of Federal Domestic Assistance number is 15.904.

The SOCIETY and the SUBGRANTEE agree as follows:

I. Attachments

The SUBGRANTEE shall carry out the project as specified in this document and attachment which is incorporated into and made part of this memorandum of agreement as:

Attachment A. the project "Work Program;"

2. Amendments (Administration Manual, section 11)

With the exception of Progress Reports, any change to the approved work program (scope of work), products, product/activity due date(s), or budget must be submitted in writing to the SOCIETY at least 30 days prior to effecting and in accordance with the requirements in the "Administration Manual, Section 11."

Other than Progress Reports, deadlines are mandatory and extensions will only be given in unforeseen and extraordinary circumstances. Examples are death or resignation of key participant or major natural disaster; a computer "crash," however, is not an extraordinary circumstance. The SUBGRANTEE must notify the SOCIETY immediately when the extraordinary event occurs.

3. **Period of Performance**

All work carried out as part of this grant-assisted project shall be conducted between the date of the SUBGRANTEE's state purchase order and the **project completion date, July 15, 2009**. It is not possible to extend the period of performance for this project. However, should interim project due date(s) need extension, see item 2. "Amendments."

Drafts of any publications prepared as part of this project shall be submitted by the dates specified in the "Work Program," for review and approval by the SOCIETY.

The SUBGRANTEE agrees to submit all the materials described in the "Work Program" to the SOCIETY on or before the deadlines given for the submission of specified products: failure to meet a deadline may be cause to terminate this agreement. Any Work Program activities completed **after September 30, 2009** cannot be considered an allowable cost, except for completion of the final Reimbursement Request.

The SOCIETY agrees to review all materials within 30 days of their receipt, returning any incomplete or inadequate materials to the SUBGRANTEE for revision or completion. The SOCIETY must approve that all project materials conform to the applicable Secretary of Interior's "Standards" prior to final reimbursement.

The SUBGRANTEE shall submit by September 30, 2009, the final reimbursement request, Project Completion Report, and any materials or reports that required revision after SOCIETY review.

4. **Professional Supervision** (Administration Manual, section 4)

The SUBGRANTEE agrees to provide and maintain a principal investigator whose professional qualifications have received prior approval of the SOCIETY, to ensure that the work conforms to the work program, and to provide the necessary standard of professional conduct required for this project under the federal program regulations.

The SOCIETY staff will maintain contact with the principal investigator and will provide necessary and reasonable amounts of training, advice or technical assistance for the successful completion of project work.

5. **Contracts** (Administration Manual, sections 5 and 6)

The Subgrantee agrees to:

- a. not contract with any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, Debarment and Suspension;
- b. comply with Federal competitive procurement requirements (Administration Manual, section 5) for professional services, any sub-contracts and submit evidence of such prior to reimbursement; and
- c. submit any contracts drafted for the performance of work activities to the SOCIETY for comment and approval prior to execution.

6. **Allowable Costs** (Administration Manual, section 8)

All Project Costs are subject to the applicable principles described in Office of Management and Budget (OMB) Circulars. See our Administration Manual, Section 3-01 for the specific circulars that apply to various types of applicants/subgrantees. This section also gives the Website address for these circulars.

If the SUBGRANTEE **receives \$300,000** or more annually in **total federal funds**, it agrees to comply with the provisions of OMB Circular A-133, Single Audit Act of 1984, and to submit to the SOCIETY a copy of the audit report within 30 days of publication.

Further all project related spending must:

- a. meet federal requirements for the program;
- b. conform to the approved project budget and occur within the period of performance;
- c. be necessary and reasonable for the completion of project work; and
- d. be disassociated with "lobbying," in accordance with 18 U.S.C. 1913.

7. **Progress and Completion Reports** (Administration Manual, section 9)

The SUBGRANTEE shall submit a Progress Report by the **15th day of October 2008; January 2009; and April 2009** or until project completion is reported in the format provided by the SOCIETY. The Society may grant extensions to written or verbal requests, if justification is determined to be satisfactory.

The SUBGRANTEE shall notify the SOCIETY immediately if any situation should arise that will adversely affect the timely or successful completion of this project.

The project completion report titled "Final Project Report" shall conform to the SOCIETY requirements and be submitted by September 30, 2009.

8. **Reimbursement Requirements** (Administration Manual, section 10)

Reimbursement to the SUBGRANTEE shall be subject to receipt of funds from the National Park Service, provided reimbursement amounts are:

- contained on an acceptable reimbursement request form;
- supported by evidence of compliance with Federal competitive procurement requirements;
- supported by copies of expense plus payment records; and
- supported by evidence that all project work activities specified for the period have been completed.

9. The SOCIETY agrees to reimburse the SUBGRANTEE **100% of allowable** project costs within 60 days of the SOCIETY's receipt of an acceptable reimbursement request on the following schedule:
- a. Up to 75% of the federal award will be paid prior to project completion. The SUBGRANTEE must submit a Reimbursement Request by September 15, 2009 for all expenses incurred through August 31, 2009.
 - b. The remaining 25% of the federal award will be paid to the SUBGRANTEE after receipt of the final Reimbursement Request and Project Completion Report (see 8, above), or after all completion materials and auditable records are approved as meeting the applicable Secretary of the Interior's "Standards", which ever is later. The final reimbursement request shall be submitted by September 30, 2009 or earlier.

The SUBGRANTEE agrees to maintain all subcontractor or professional services procurement histories financial and records pertaining to the full life-cycle of the subgrant for a period of not less than five years after completion of the project. The State Legislative Audit Bureau, the SOCIETY, the National Park Service, the Department of the Interior, the Comptroller of the United States, and any of their duly authorized representatives shall have access to subgrant records for audit purposes.

10. **Acknowledgment of Federal Assistance** (Administration Manual, section 7)

Federal grant assistance shall be acknowledged in any public announcements, news releases, articles, publications, and pertinent presentations that the SUBGRANTEE participates in or initiates in the required format.

11. **General Provisions**

- a. Copyrights. Since federal funds are involved in this project, no copyright is available to any participants in the project. All material remains in the public domain and cannot be copyrighted.
- b. Compliance with federal and state laws. The SUBGRANTEE agrees to comply with all federal and state laws and regulations concerning equal opportunity, affirmative action, and fair employment practices. The SUBGRANTEE further agrees to comply with all applicable regulations, laws, policies, guidelines, and requirements of this federal grant program, including the applicable Secretary of the Interior's standards.
- c. Title VI Compliance. The SUBGRANTEE agrees to comply with Title VI of the Civil Rights Act of 1964 that states that no person on the grounds of race, color, marital status, religious creed or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal assistance.

- d. Civil Rights Assurance of Compliance. The SUBGRANTEE agrees to comply with the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975 and all requirements imposed by or pursuant to the Department of the Interior Regulations (43 CFR 17) issued pursuant to these titles, to the end that, no person in the United States shall, on the grounds of age or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant/Subgrantee receives financial assistance from the National Park Service and hereby gives assurance that it will immediately take any measures to effectuate this agreement.
- e. Program Income. During the period of this grant (October 1, 2008 through September 30, 2009), any income earned by a SUBGRANTEE from activities of which part or all of the cost is a direct cost shall reduce the subgrant award.
- f. Liability. The SUBGRANTEE shall indemnify and hold harmless the State Historic Preservation Officer, the Wisconsin Historical Society, and its officers, employees, and agents from, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the SUBGRANTEE in executing work under this agreement.

This AGREEMENT may be terminated before the project completion date upon thirty (30) days written notice from either the State Historic Preservation Officer or the SUBGRANTEE. Should this agreement be terminated by the State Historic Preservation Officer, except for reasons of non-compliance by the SUBGRANTEE, the SOCIETY will reimburse the SUBGRANTEE for up to **a maximum of 100% of the eligible** costs incurred up to the termination date. Should this agreement be terminated by the SUBGRANTEE, the SOCIETY, at the discretion of the State Historic Preservation Officer, may reimburse the SUBGRANTEE for a maximum of 50% of the eligible costs incurred to the termination date or may require the SUBGRANTEE to return any or all federal funds transferred to the SUBGRANTEE by the termination date, depending upon the circumstances of the termination.

This AGREEMENT becomes effective upon signature by the parties below and upon receipt by the SUBGRANTEE of a purchase order for the contract sum from the Wisconsin Historical Society on behalf of the State Historic Preservation Officer.

By



Michael Stevens
State Historic Preservation Officer



Date

By

Thomas Stoffel-City of Menasha

Date

MENASHA WORK PROGRAM
Project No. 55-08-21754-05
MEMORANDUM OF AGREEMENT
Attachment A: Work Program (As of 4/14/08)

The Division of Historic Preservation-Public History (DHP-PH), Wisconsin Historical Society, and the City of Menasha, hereinafter called the subgrantee, agree to the following work activities and project conditions for the completion of an intensive survey and related activities in Menasha, assisted with an historic preservation grant-in-aid.

1. The subgrantee shall conform to and follow all requirements and guidelines detailed in the three manuals found on the Wisconsin Historical Society website. The "Architecture-History Survey Manual" is located at www.wisconsinhistory.org/hp/survey-manual/, the "Supplementary Manual for Completing State Register and National Register of Historic Place Form in Wisconsin" is located at www.wisconsinhistory.org/hp/sup-manual/ and the "Subgrants Manual" is located at www.wisconsinhistory.org/hp/grants/. The subgrantee shall inform the principal investigator of these requirements.
2. Consultant Selection. The subgrantee, with the assistance of the DHP-PH, must hire a principal investigator within two months of the signing of this agreement. Recruitment and hiring must follow DHP-PH procedures and Department of Interior guidelines as explained in the "Subgrants Manual." The DHP-PH has final approval of the principal investigator selected. The principal investigator must be qualified according to the professional qualifications found at www.wisconsinhistory.org/hp/grants/qualifications.asp
3. Consultant Training. The principal investigator, project assistants, and the project director may be required to attend a training session in Madison prior to beginning work to be trained in DHP-PH survey procedures.
4. Completion Schedule. All products must be completed according to the schedule specified in this work program. Final products must be submitted to the DHP-PH by July 15, 2009. Non-compliance with the schedule is considered grounds for terminating the subgrant.

MENASHA WORK PROGRAM
Project No. 55-08-21754-05
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Attachment A: Work Program Page 2

5. Reconnaissance Survey. The project must begin with a reconnaissance survey of the of the project area, excluding properties already listed in the National Register of Historic Places, in order to document properties of architectural or historical interest and potential significance. Previously surveyed properties that have been altered, restored, or demolished will be updated. Any inventory cards in the entire community without photographs will also be photographed. The survey must be conducted according to guidelines described in the "Architecture-History Survey Manual." Products of the reconnaissance survey are:
 - a. Negatives, organized by film roll in 9-1/2" x 12" plastic negative preservers and a sheet of contact prints for each film roll. The DHP-PH will explain the coding system and provide the first roll number to be used. A photocopy of the contact prints should be retained by the subgrantee. If a second set of photographs is required by the subgrantee, the cost of the photographs must be a separate line in the budget.
 - b. Survey maps, indicating all surveyed properties by lot lines and referenced by the map code. The survey maps must be approved by the DHP-PH for appropriateness of scale, etc. An original survey map must be provided to the DHP-PH.
 - c. DHP-PH inventory cards, for all inventoried properties, fully completed and with photographs drymounted on the back. The inventory cards are prepared for the DHP-PH, but can be photocopied for the subgrantee. Cards must be generated from the WHPD application.
6. Intensive Survey. This phase of the survey contains two basic work elements: site specific research and the preparation of the survey report. Each of these elements is described below. They are more fully discussed in the "Architecture-History Survey Manual."
 - a. Site specific research. Historic research must be conducted on all properties potentially eligible for the National Register of Historic Places or within a potential National Register historic district. All findings of potentially individually eligible properties and potential historic districts must be approved by the DHP-PH prior to completion of the intensive survey report.

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The DHP-PH requires that WHPD be used for the compilation of all survey data. All survey data will be entered into this program by the consultant. The consultant will be given free access to WHPD for one month in order to enter the survey findings for the City of Menasha survey only. The consultant must contact the DHP-PH in order to set up this special one month access.

- b. Preparation of intensive survey report. The intensive survey report must be prepared according to the guidelines in the intensive survey manual. All themes represented in the history of the survey area must be addressed, in addition to the following sections:

1. Historical Overview (including early settlement and physical development)
2. Architecture (organized according to the styles and forms listed in the survey manual)
3. Designers, Engineers, and Builders (including biographical information and subdivided by architects, landscape architects, engineers, builders and contractors, and other designers)
4. Notable People (including biographical information on major figures in the community's history and referenced to buildings or sites associated with them)

A typed draft of a report chapter must be submitted for DHP-PH review according to the project schedule, and not less than eight weeks from the project completion date.

At least eight (8) copies of the final report and an electronic version in a PDF format on CD must be submitted to the DHP-PH by the project completion date. The final report must be double-sided and spiral bound. The subgrantee must also submit one (1) unbound, double-sided copy on acid-free paper. The subgrantee will retain at least three copies of the final report and one will be deposited in a local public library.

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7. Public Education. The subgrantee will sponsor at least two public meetings during the course of the project. It will be necessary for the principal investigator and the DHP-PH to participate in both public meetings. The first meeting, to be held near the beginning of the survey project, should introduce the project and the principal investigator to the community. The second meeting, to be held toward the end of the survey, should include a formal presentation of survey findings by the principal investigator. At one of the meetings the DHP-PH will explain the National Register of Historic Places program. Additional public meetings can be held at the discretion of the subgrantee and the DHP-PH as necessary.
8. Acknowledgment of Federal Assistance. An acknowledgment of federal funding must be made in any publication or slide or video production resulting from this project (See Section 7 of the "Subgrants Manual.") The standard acknowledgment that must be used is stated in the manual. Press releases, speeches, and other dissemination of information by a subgrantee regarding grant-assisted projects must also acknowledge the support of the National Park Service and the Wisconsin Historical Society. Future publications, materials, or projects that result from this grant-assisted project must acknowledge the federal support.

07/17/2008 08:24 FAX 920 739 7007

BOMIER PROPERTIES

002

From: CITY OF MENASHA

To: 97997007

07/16/2008 16:28

#266 P.002/002

Approved by the Wisconsin Department of Regulation and Licensing
7-1-99 (Optional Use Date) 1-1-00 (Mandatory Use Date)

Bomier Properties Inc

WB-44 COUNTER-OFFERCounter-Offer No. 1 by (Buyer/Seller) **STRIKE ONE**

1 The Offer to Purchase dated 07/10/2008 and signed by Buyer, Niebert Enterprises, LLC
 2 for purchase of real estate at Lot #10 Province Terrace Plat, Menasha WI, Approx. 2.904 Acres is
 3 rejected and the following Counter-Offer is hereby made. All terms and conditions remain the same as stated in the Offer to
 4 Purchase except the following: [CAUTION: This Counter-Offer does not include the terms or conditions in any other
 5 counter-offer unless incorporated by reference.]

6 1. The purchase price shall be changed to \$100,000.

7
 8 2. Paragraph #4 of Addendum A of the Offer to purchase shall be changed as follows:
 9 Seller agrees, at Seller's expense, to provide a legal description, updated survey or
 10 C.S.M. if required, and stake the corners and Shoreland setback area of the property 10
 11 days prior to closing.

32 ANY WARRANTIES AND REPRESENTATIONS MADE IN THIS COUNTER-OFFER SURVIVE THE CLOSING OF THIS TRANSACTION.
 33 This Counter-Offer is binding upon Seller and Buyer only if a copy of the accepted Counter-Offer is delivered to the Party making
 34 the Counter-Offer on or before July 22, 2008 (Time is of the Essence).
 35 Delivery of the accepted Counter-Offer may be made in any manner specified in the Offer to Purchase, unless otherwise provided
 36 in this Counter-Offer. NOTE: The Party making this Counter-Offer may withdraw the Counter-Offer prior to acceptance and
 37 delivery as provided at lines 33 to 35.

38 This Counter-Offer was offered by Jason Gallmeier/Bomier Properties, on 07/16/2008

39 [Signature] License and Firm # 16 July 2008 Date #
 40 Signature of Party Making Counter-Offer # Date #
 41 City of Menasha

42 James Wright 07-17-08
 43 Signature of Party Accepting Counter-Offer # Date #
 44 Title #

45 This Counter-Offer was presented by Jason Gallmeier/Bomier Properties, on 7/17/08

46 This Counter-Offer is (rejected) (countered) **STRIKE ONE** (Party's Initials) (Party's Initials)
 47 Note: Provisions from a previous Counter-Offer may be included by reproduction of the entire provision or incorporation by reference.

48 Provisions incorporated by reference may be indicated in the subsequent Counter-Offer by specifying the number of the provision or the
 49 lines containing the provision. In transactions involving more than one Counter-Offer, the Counter-Offer referred to should be clearly
 50 specified. NOTE: Number this Counter-Offer sequentially, e.g. Counter-Offer No.1 by Seller, Counter-Offer No.2 by Buyer, etc.

51 ATTACH THIS COUNTER-OFFER TO THE OFFER TO PURCHASE. INSERT SOCIAL SECURITY NUMBERS OR FIRM ON OFFER

Bomier Properties Inc 5553 Waterford Ln, Appleton WI 54911-3458
 Phone: (920) 739-5300 Fax: (920) 739-7007 Jason

Produced with ZipForm™ by RE FormNet, LLC 18026 Pigeon Mile Road, Clinton Township, Michigan 48065 www.zipform.com

City of Menasha

Approved by the Wisconsin Department of Regulation and Licensing
7-1-99 (Optional Use Date)
1-1-00 (Mandatory Use Date)

Bomier Properties Inc

WB-13 VACANT LAND OFFER TO PURCHASE

Page 1 of 5

1 **BROKER DRAFTING THIS OFFER ON** 07/10/2008 [DATE] IS (AGENT OF SELLER) (AGENT OF BUYER) (DUAL AGENT) ~~STRIKE TWO~~

2 **GENERAL PROVISIONS** The Buyer, Wiegert Enterprises, LLC

3 offers to purchase the Property known as [Street Address] Lot 10 of Province Terrace Plat, Approx. 2.904 Acres

4 in the City of Menasha, County of Calumet

5 Wisconsin, (Insert additional description, if any, at lines 179 - 187 or attach as an addendum, line 188), on the following terms:

6 ■ **PURCHASE PRICE:** Ninety-Five Thousand Dollars (\$ 95,000.00)

7

8 ■ **EARNEST MONEY** of \$ 500.00 accompanies this Offer and earnest money of \$ 500.00

9 will be paid within 5 days of acceptance.

10 ■ **THE BALANCE OF PURCHASE PRICE** will be paid in cash or equivalent at closing unless otherwise provided below.

11 ■ **ADDITIONAL ITEMS INCLUDED IN PURCHASE PRICE:** Seller shall include in the purchase price and transfer, free and clear of

12 encumbrances, all fixtures, as defined at lines 15 - 18 and as may be on the Property on the date of this Offer, unless excluded at line 14,

13 and the following additional items: None

14 ■ **ITEMS NOT INCLUDED IN THE PURCHASE PRICE:** None

15 A "Fixture" is defined as an item of property which is physically attached to or so closely associated with land so as to be treated as part

16 of the real estate, including, without limitation, physically attached items not easily removable without damage to the Property, items

17 specifically adapted to the Property, and items customarily treated as fixtures including but not limited to all: perennial crops; garden

18 bulbs; plants; shrubs and trees. CAUTION: Annual crops are not included in the purchase price unless otherwise agreed at line 13.

19 ■ **ZONING:** Seller represents that the Property is zoned Residential (R-2)

20 **ACCEPTANCE** Acceptance occurs when all Buyers and Sellers have signed an identical copy of the Offer, including signatures on

21 separate but identical copies of the Offer. CAUTION: Deadlines in the Offer are commonly calculated from acceptance. Consider

22 whether short term deadlines running from acceptance provide adequate time for both binding acceptance and performance.

23 **BINDING ACCEPTANCE** This Offer is binding upon both Parties only if a copy of the accepted Offer is delivered to Buyer on or

24 before July 22, 2008. CAUTION: This Offer may be withdrawn prior to delivery of the accepted Offer.

25 **DELIVERY OF DOCUMENTS AND WRITTEN NOTICES** Unless otherwise stated in this Offer, delivery of documents and written notices

26 to a Party shall be effective only when accomplished by one of the methods specified at lines 27 - 36.

27 (1) By depositing the document or written notice postage or fees prepaid in the U.S. Mail or fees prepaid or charged to an account with

28 a commercial delivery service, addressed either to the Party, or to the Party's recipient for delivery designated at lines 30 or 32 (if any),

29 for delivery to the Party's delivery address at lines 31 or 33.

30 Seller's recipient for delivery (optional): City of Menasha

31 Seller's delivery address: 140 Main St, Menasha, WI 54952

32 Buyer's recipient for delivery (optional): Jim Wiegert

33 Buyer's delivery address: W285 E. Hills Rd., Brillion, WI 54110

34 (2) By giving the document or written notice personally to the Party or the Party's recipient for delivery if an individual is designated at lines 30 or 32.

35 (3) By fax transmission of the document or written notice to the following telephone number:

36 Buyer: (920) 756-9605 Seller: (920) 967-5272

37 **OCCUPANCY** Occupancy of the entire Property shall be given to Buyer at time of closing unless otherwise provided in this Offer (lines

38 179 - 187 or in an addendum per line 188). Occupancy shall be given subject to tenant's rights, if any. CAUTION: Consider an agreement

39 which addresses responsibility for clearing the Property of personal property and debris, if applicable.

40 **LEASED PROPERTY** If Property is currently leased and lease(s) extend beyond closing, Seller shall assign Seller's rights under said

41 lease(s) and transfer all security deposits and prepaid rents thereunder to Buyer at closing. The terms of the (written)-(oral) ~~STRIKE ONE~~

42 lease(s), if any, are _____

43 **PLACE OF CLOSING** This transaction is to be closed at the place designated by Buyer's mortgagee or Title Company

44 no later than August 15, 2008 unless another date or place is agreed to in writing.

45 **CLOSING PRORATIONS** The following items shall be prorated at closing: real estate taxes, rents, private and municipal charges,

46 property owner's association assessments, fuel and _____

47 _____ Any income, taxes or expenses shall accrue to Seller, and be prorated, through the day prior to closing.

48 Net general real estate taxes shall be prorated based on (the net general real estate taxes for the current year, if known, otherwise on

49 the net general real estate taxes for the preceding year) (_____)

50 _____) ~~STRIKE AND COMPLETE AS APPLICABLE~~

51 **CAUTION: If proration on the basis of net general real estate taxes is not acceptable (for example, completed/pending**

52 **reassessment, changing mill rate, lottery credits), insert estimated annual tax or other formula for proration.**

53 **PROPERTY CONDITION PROVISIONS**

54 ■ **PROPERTY CONDITION REPRESENTATIONS:** Seller represents to Buyer that as of the date of acceptance Seller has no notice

55 or knowledge of conditions affecting the Property or transaction (see below) other than those identified in Seller's Real Estate Condition

56 Report dated _____, which was received by Buyer prior to Buyer signing this Offer and which is made a part of this Offer

57 by reference COMPLETE DATE OR STRIKE AS APPLICABLE and _____

58 _____ (INSERT CONDITIONS NOT ALREADY INCLUDED IN THE CONDITION REPORT)

59 A "condition affecting the Property or transaction" is defined as follows:

- 60 (a) planned or commenced public improvements which may result in special assessments or otherwise materially affect the Property
 61 or the present use of the Property;
 62 (b) completed or pending reassessment of the Property for property tax purposes;
 63 (c) government agency or court order requiring repair, alteration or correction of any existing condition;
 64 (d) any land division involving the subject Property, for which required state or local approvals had not been obtained;
 65 (e) any portion of the Property being in a 100 year floodplain, a wetland or shoreland zoning area under local, state or federal laws;
 66 (f) conditions constituting a significant health or safety hazard for occupants of Property;
 67 (g) underground or aboveground storage tanks on the Property for storage of flammable or combustible liquids including but not limited to
 68 gasoline and heating oil which are currently or which were previously located on the Property; **NOTE: Wis. Adm. Code, Chapter**
 69 **Comm 10 contains registration and operation rules for such underground and aboveground storage tanks.**
 70 (h) material violations of environmental laws or other laws or agreements regulating the use of the Property;
 71 (i) high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the Property;
 72 (j) any portion of the Property being subject to, or in violation of, a Farmland Preservation Agreement under a County Farmland Preservation
 73 Plan or enrolled in, or in violation of, a Forest Crop, Woodland Tax, Managed Forest, Conservation Reserve or comparable program;
 74 (k) boundary disputes or material violation of fence laws (Wis. Stats. Chapter 90) which require the erection and maintenance of legal
 75 fences between adjoining properties where one or both of the properties is used and occupied for farming or grazing purposes;
 76 (l) wells on the Property required to be abandoned under state regulations (Wis. Adm. Code NR 112.26) but which are not abandoned;
 77 (m) cisterns or septic tanks on the Property which are currently not servicing the Property;
 78 (n) subsoil conditions which would significantly increase the cost of the development proposed at lines 271-272, if any, including, but not limited
 79 to, subsurface foundations, organic or non-organic fill, dumpsites or containers on Property which contained or currently contain toxic or
 80 hazardous materials, high groundwater, soil conditions (e.g. low load bearing capacity) or excessive rocks or rock formations on the Property;
 81 (o) a lack of legal vehicular access to the Property from public roads;
 82 (p) prior reimbursement for corrective action costs under the Agricultural Chemical Cleanup Program; (Wis. Stats. §94.73.)
 83 (q) other conditions or occurrences which would significantly increase the cost of the development proposed at lines 271 to 272 or
 84 reduce the value of the Property to a reasonable person with knowledge of the nature and scope of the condition or occurrence.

85 **■ PROPERTY DIMENSIONS AND SURVEYS:** Buyer acknowledges that any land dimensions, total square footage/acreage figures,
 86 or allocation of acreage information, provided to Buyer by Seller or by a broker, may be approximate because of rounding or other
 87 reasons, unless verified by survey or other means. **CAUTION: Buyer should verify land dimensions, total square footage/acreage**
 88 **figures or allocation of acreage information if material to Buyer's decision to purchase.**

89 **■ ISSUES RELATED TO PROPERTY DEVELOPMENT:** WARNING: If Buyer contemplates developing Property for a use other than the
 90 current use, there are a variety of issues which should be addressed to ensure the development or new use is feasible. Municipal and zoning
 91 ordinances, recorded building and use restrictions, covenants and easements may prohibit certain improvements or uses and therefore should
 92 be reviewed. Building permits, zoning variances, Architectural Control Committee approvals, estimates for utility hook-up expenses, special
 93 assessments, charges for installation of roads or utilities, environmental audits, subsoil tests, or other development related fees may need
 94 to be obtained or verified in order to determine the feasibility of development of, or a particular use for, a property. Optional contingencies
 95 which allow Buyer to investigate certain of these issues can be found at lines 271 - 314 and Buyer may add contingencies as needed in
 96 addenda (see line 188). Buyer should review any plans for development or use changes to determine what issues should be addressed
 97 in these contingencies.

98 **■ INSPECTIONS:** Seller agrees to allow Buyer's inspectors reasonable access to the Property upon reasonable notice if the inspections
 99 are reasonably necessary to satisfy the contingencies in this Offer. Buyer agrees to promptly provide copies of all such inspection
 100 reports to Seller, and to listing broker if Property is listed. Furthermore, Buyer agrees to promptly restore the Property to its original
 101 condition after Buyer's inspections are completed, unless otherwise agreed in this Offer. An "inspection" is defined as an observation
 102 of the Property which does not include testing of the Property, other than testing for leaking LP gas or natural gas used as a fuel source,
 103 which are hereby authorized.

104 **■ TESTING:** Except as otherwise provided, Seller's authorization for inspections does not authorize Buyer to conduct testing of the Property.
 105 A "test" is defined as the taking of samples of materials such as soils, water, air or building materials from the Property and the laboratory
 106 or other analysis of these materials. If Buyer requires testing, testing contingencies must be specifically provided for at lines 179 - 187 or
 107 in an addendum per line 188. Note: Any contingency authorizing testing should specify the areas of the Property to be tested, the purpose
 108 of the test, (e.g., to determine if environmental contamination is present), any limitations on Buyer's testing and any other material terms of
 109 the contingency (e.g., Buyer's obligation to return the Property to its original condition). Seller acknowledges that certain inspections or tests
 110 may detect environmental pollution which may be required to be reported to the Wisconsin Department of Natural Resources.

111 **■ PRE-CLOSING INSPECTION:** At a reasonable time, pre-approved by Seller or Seller's agent, within 3 days before closing, Buyer shall
 112 have the right to inspect the Property to determine that there has been no significant change in the condition of the Property, except for
 113 changes approved by Buyer.

114 **■ PROPERTY DAMAGE BETWEEN ACCEPTANCE AND CLOSING:** Seller shall maintain the Property until the earlier of closing or
 115 occupancy of Buyer in materially the same condition as of the date of acceptance of this Offer, except for ordinary wear and tear. If, prior
 116 to closing, the Property is damaged in an amount of not more than five percent (5%) of the selling price, Seller shall be obligated to repair
 117 the Property and restore it to the same condition that it was on the day of this Offer. If the damage shall exceed such sum, Seller shall
 118 promptly notify Buyer in writing of the damage and this Offer may be canceled at option of Buyer. Should Buyer elect to carry out this
 119 Offer despite such damage, Buyer shall be entitled to the insurance proceeds relating to the damage to the Property, plus a credit towards
 120 the purchase price equal to the amount of Seller's deductible on such policy. However, if this sale is financed by a land contract or a
 121 mortgage to Seller, the insurance proceeds shall be held in trust for the sole purpose of restoring the Property.

122 **FENCES** Wisconsin Statutes section 90.03 requires the owners of adjoining properties to keep and maintain legal fences in equal
 123 shares where one or both of the properties is used and occupied for farming or grazing purposes. **CAUTION: Consider an agreement**
 124 **addressing responsibility for fences if Property or adjoining land is used and occupied for farming or grazing purposes.**

125 **DELIVERY/RECEIPT** Unless otherwise stated in this Offer, any signed document transmitted by facsimile machine (fax) shall be treated
 126 in all manner and respects as an original document and the signature of any Party upon a document transmitted by fax shall be considered
 127 an original signature. Personal delivery to, or actual receipt by, any named Buyer or Seller constitutes personal delivery to, or actual receipt
 128 by Buyer or Seller. Once received, a notice cannot be withdrawn by the Party delivering the notice without the consent of the Party receiving
 129 the notice. A Party may not unilaterally reinstate a contingency after a notice of a contingency waiver has been received by the other Party.

130 **The delivery provisions in this Offer may be modified when appropriate (e.g., when mail delivery is not desirable (see lines 25 - 36)).**
 131 Buyer and Seller authorize the agents of Buyer and Seller to distribute copies of the Offer to Buyer's lender, appraisers, title insurance companies
 132 and any other settlement service providers for the transaction as defined by the Real Estate Settlement Procedures Act (RESPA).

133 **PROPERTY ADDRESS:** Lot #10 Province Terrace Plat, Menasha WI
 134 **TIME IS OF THE ESSENCE** "Time is of the Essence" as to: (1) earnest money payment(s); (2) binding acceptance; (3) occupancy; (4)
 135 date of closing; (5) contingency deadlines **STRIKE AS APPLICABLE** and all other dates and deadlines in this Offer except: _____

136 _____ If "Time is of the Essence"
 137 applies to a date or deadline, failure to perform by the exact date or deadline is a breach of contract. If "Time is of the Essence" does
 138 not apply to a date or deadline, then performance within a reasonable time of the date or deadline is allowed before a breach occurs.
 139 **DATES AND DEADLINES** Deadlines expressed as a number of "days" from an event, such as acceptance, are calculated by excluding
 140 the day the event occurred and by counting subsequent calendar days. The deadline expires at midnight on the last day. Deadlines
 141 expressed as a specific number of "business days" exclude Saturdays, Sundays, any legal public holiday under Wisconsin or Federal
 142 law, and other day designated by the President such that the postal service does not receive registered mail or make regular deliveries
 143 on that day. Deadlines expressed as a specific number of "hours" from the occurrence of an event, such as receipt of a notice, are
 144 calculated from the exact time of the event, and by counting 24 hours per calendar day. Deadlines expressed as a specific day of the
 145 calendar year or as the day of a specific event, such as closing, expire at midnight of that day.

146 **THE FINANCING CONTINGENCY PROVISIONS AT LINES 148 - 162 ARE A PART OF THIS OFFER IF LINE 148 IS MARKED,**
 147 **SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF LINE 148 IS MARKED N/A OR IS NOT MARKED.**

148 **FINANCING CONTINGENCY:** This Offer is contingent upon Buyer being able to obtain a _____ days of acceptance of this
 149 **INSERT LOAN PROGRAM OR SOURCE** first mortgage loan commitment as described below, within _____ days of acceptance of this
 150 Offer. The financing selected shall be in an amount of not less than \$ _____ for a term of not less than _____ years,
 151 amortized over not less than _____ years. Initial monthly payments of principal and interest shall not exceed \$ _____
 152 Monthly payments may also include 1/12th of the estimated net annual real estate taxes, hazard insurance premiums, and private
 153 mortgage insurance premiums. The mortgage may not include a prepayment premium. Buyer agrees to pay a loan fee not to exceed
 154 _____ % of the loan. (Loan fee refers to discount points and/or loan origination fee, but DOES NOT include Buyer's other closing
 155 costs.) If the purchase price under this Offer is modified, the financed amount, unless otherwise provided, shall be adjusted
 156 to the same percentage of the purchase price as in this contingency and the monthly payments shall be adjusted as necessary to maintain
 157 the term and amortization stated above. **CHECK AND COMPLETE APPLICABLE FINANCING PROVISION AT LINE 158 OR 159.**

158 ☐ **FIXED RATE FINANCING:** The annual rate of interest shall not exceed _____ %.
 159 ☐ **ADJUSTABLE RATE FINANCING:** The initial annual interest rate shall not exceed _____ %. The initial interest rate shall
 160 be fixed for _____ months, at which time the interest rate may be increased not more than _____ % per year. The maximum
 161 interest rate during the mortgage term shall not exceed _____ %. Monthly payments of principal and interest may be adjusted
 162 to reflect interest changes.

163 **LOAN COMMITMENT:** Buyer agrees to pay all customary financing costs (including closing fees), to apply for financing promptly, and
 164 to provide evidence of application promptly upon request by Seller. If Buyer qualifies for the financing described in this Offer or other
 165 financing acceptable to Buyer, Buyer agrees to deliver to Seller a copy of the written loan commitment no later than the deadline for loan
 166 commitment at line 149. Buyer's delivery of a copy of any written loan commitment to Seller (even if subject to conditions) shall
 167 satisfy the Buyer's financing contingency unless accompanied by a notice of unacceptability. **CAUTION: BUYER, BUYER'S LENDER**
 168 **AND AGENTS OF BUYER OR SELLER SHOULD NOT DELIVER A LOAN COMMITMENT TO SELLER WITHOUT BUYER'S PRIOR**
 169 **APPROVAL OR UNLESS ACCOMPANIED BY A NOTICE OF UNACCEPTABILITY.**

170 **SELLER TERMINATION RIGHTS:** If Buyer does not make timely delivery of said commitment, Seller may terminate this Offer if Seller
 171 delivers a written notice of termination to Buyer prior to Seller's actual receipt of a copy of Buyer's written loan commitment.

172 **FINANCING UNAVAILABILITY:** If financing is not available on the terms stated in this Offer (and Buyer has not already delivered an
 173 acceptable loan commitment for other financing to Seller), Buyer shall promptly deliver written notice to Seller of same including copies
 174 of lender(s)' rejection letter(s) or other evidence of unavailability. Unless a specific loan source is named in this Offer, Seller shall then
 175 have 10 days to give Buyer written notice of Seller's decision to finance this transaction on the same terms set forth in this Offer and this
 176 Offer shall remain in full force and effect, with the time for closing extended accordingly. If Seller's notice is not timely given, this Offer shall
 177 be null and void. Buyer authorizes Seller to obtain any credit information reasonably appropriate to determine Buyer's credit worthiness
 178 for Seller financing.

179 **ADDITIONAL PROVISIONS/CONTINGENCIES** See Addendum A

180 _____
 181 _____
 182 _____
 183 _____
 184 _____
 185 _____
 186 _____

187 ☒ **ADDENDA:** The attached _____ Addendum A _____ is/are made part of this Offer.

188 **TITLE EVIDENCE**
 189 **CONVEYANCE OF TITLE:** Upon payment of the purchase price, Seller shall convey the Property by warranty deed (or other
 190 conveyance as provided herein) free and clear of all liens and encumbrances, except: municipal and zoning ordinances and
 191 agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use
 192 restrictions and covenants, general taxes levied in the year of closing and _____
 193 _____

194 _____
 195 _____ (provided none of the foregoing prohibit present use of the Property), which constitutes merchantable title
 196 for purposes of this transaction. Seller further agrees to complete and execute the documents necessary to record the conveyance.

197 ■ **FORM OF TITLE EVIDENCE:** Seller shall give evidence of title in the form of an owner's policy of title insurance in the amount of the
 198 purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. **CAUTION: IF TITLE**
 199 **EVIDENCE WILL BE GIVEN BY ABSTRACT, STRIKE TITLE INSURANCE PROVISIONS AND INSERT ABSTRACT PROVISIONS.**
 200 ■ **PROVISION OF MERCHANTABLE TITLE:** Seller shall pay all costs of providing title evidence. For purposes of closing, title evidence
 201 shall be acceptable if the commitment for the required title insurance is delivered to Buyer's attorney or Buyer not less than 3 business
 202 days before closing, showing title to the Property as of a date no more than 15 days before delivery of such title evidence to be
 203 merchantable, subject only to liens which will be paid out of the proceeds of closing and standard title insurance requirements and
 204 exceptions, as appropriate. **CAUTION: BUYER SHOULD CONSIDER UPDATING THE EFFECTIVE DATE OF THE TITLE**
 205 **COMMITMENT PRIOR TO CLOSING OR A "GAP ENDORSEMENT" WHICH WOULD INSURE OVER LIENS FILED BETWEEN THE**
 206 **EFFECTIVE DATE OF THE COMMITMENT AND THE DATE THE DEED IS RECORDED.**
 207 ■ **TITLE ACCEPTABLE FOR CLOSING:** If title is not acceptable for closing, Buyer shall notify Seller in writing of objections to title by
 208 the time set for closing. In such event, Seller shall have a reasonable time, but not exceeding 15 days, to remove the objections, and
 209 the time for closing shall be extended as necessary for this purpose. In the event that Seller is unable to remove said objections, Buyer
 210 shall have 5 days from receipt of notice thereof, to deliver written notice waiving the objections, and the time for closing shall be extended
 211 accordingly. If Buyer does not waive the objections, this Offer shall be null and void. Providing title evidence acceptable for closing does
 212 not extinguish Seller's obligations to give merchantable title to Buyer.
 213 ■ **SPECIAL ASSESSMENTS:** Special assessments, if any, for work actually commenced or levied prior to date of this Offer shall be
 214 paid by Seller no later than closing. All other special assessments shall be paid by Buyer. **CAUTION: Consider a special agreement**
 215 **if area assessments, property owner's association assessments or other expenses are contemplated.** "Other expenses" are one-
 216 time charges or ongoing use fees for public improvements (other than those resulting in special assessments) relating to curb, gutter,
 217 street, sidewalk, sanitary and stormwater and storm sewer (including all sewer mains and hook-up and interceptor charges), parks, street
 218 lighting and street trees, and impact fees for other public facilities, as defined in Wis. Stat. § 66.55(1)(c) & (f).
 219 ■ **ENTIRE CONTRACT** This Offer, including any amendments to it, contains the entire agreement of the Buyer and Seller regarding the
 220 transaction. All prior negotiations and discussions have been merged into this Offer. This agreement binds and inures to the benefit of
 221 the Parties to this Offer and their successors in interest.
 222 ■ **DEFAULT**
 223 Seller and Buyer each have the legal duty to use good faith and due diligence in completing the terms and conditions of this Offer. A
 224 material failure to perform any obligation under this Offer is a default which may subject the defaulting party to liability for damages or
 225 other legal remedies.
 226 If Buyer defaults, Seller may:
 227 (1) sue for specific performance and request the earnest money as partial payment of the purchase price; or
 228 (2) terminate the Offer and have the option to: (a) request the earnest money as liquidated damages; or (b) direct Broker to return
 229 the earnest money and have the option to sue for actual damages.
 230 If Seller defaults, Buyer may:
 231 (1) sue for specific performance; or
 232 (2) terminate the Offer and request the return of the earnest money, sue for actual damages, or both.
 233 In addition, the Parties may seek any other remedies available in law or equity.
 234 The Parties understand that the availability of any judicial remedy will depend upon the circumstances of the situation and the
 235 discretion of the courts. If either Party defaults, the Parties may renegotiate the Offer or seek nonjudicial dispute resolution instead of
 236 the remedies outlined above. By agreeing to binding arbitration, the Parties may lose the right to litigate in a court of law those disputes
 237 covered by the arbitration agreement.
 238 **NOTE: IF ACCEPTED, THIS OFFER CAN CREATE A LEGALLY ENFORCEABLE CONTRACT. BOTH PARTIES SHOULD READ**
 239 **THIS DOCUMENT CAREFULLY. BROKERS MAY PROVIDE A GENERAL EXPLANATION OF THE PROVISIONS OF THE OFFER BUT**
 240 **ARE PROHIBITED BY LAW FROM GIVING ADVICE OR OPINIONS CONCERNING YOUR LEGAL RIGHTS UNDER THIS OFFER OR**
 241 **HOW TITLE SHOULD BE TAKEN AT CLOSING. AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS NEEDED.**
 242 ■ **EARNEST MONEY**
 243 ■ **HELD BY:** Unless otherwise agreed, earnest money shall be paid to and held in the trust account of the listing broker (buyer's agent
 244 if Property is not listed or seller if no broker is involved), until applied to purchase price or otherwise disbursed as provided in the Offer.
 245 **CAUTION: Should persons other than a broker hold earnest money, an escrow agreement should be drafted by the Parties**
 246 **or an attorney. If someone other than Buyer makes payment of earnest money, consider a special disbursement agreement.**
 247 ■ **DISBURSEMENT:** If negotiations do not result in an accepted offer, the earnest money shall be promptly disbursed (after clearance
 248 from payor's depository institution if earnest money is paid by check) to the person(s) who paid the earnest money. At closing, earnest
 249 money shall be disbursed according to the closing statement. If this Offer does not close, the earnest money shall be disbursed according
 250 to a written disbursement agreement signed by all Parties to this Offer (Note: Wis. Adm. Code § RL 18.09(1)(b) provides that an offer
 251 to purchase is not a written disbursement agreement pursuant to which the broker may disburse). If said disbursement agreement has
 252 not been delivered to broker within 60 days after the date set for closing, broker may disburse the earnest money: (1) as directed by
 253 an attorney who has reviewed the transaction and does not represent Buyer or Seller; (2) into a court hearing a lawsuit involving the
 254 earnest money and all Parties to this Offer; (3) as directed by court order; or (4) any other disbursement required or allowed by law.
 255 Broker may retain legal services to direct disbursement per (1) or to file an interpleader action per (2) and broker may deduct from the
 256 earnest money any costs and reasonable attorneys fees, not to exceed \$250, prior to disbursement.
 257 ■ **LEGAL RIGHTS/ACTION:** Broker's disbursement of earnest money does not determine the legal rights of the Parties in relation to this
 258 Offer. Buyer's or Seller's legal right to earnest money cannot be determined by broker. At least 30 days prior to disbursement per (1)
 259 or (4) above, broker shall send Buyer and Seller notice of the disbursement by certified mail. If Buyer or Seller disagree with broker's
 260 proposed disbursement, a lawsuit may be filed to obtain a court order regarding disbursement. Small Claims Court has jurisdiction over
 261 all earnest money disputes arising out of the sale of residential property with 1-4 dwelling units and certain other earnest money disputes.
 262 Buyer and Seller should consider consulting attorneys regarding their legal rights under this Offer in case of a dispute. Both Parties
 263 agree to hold the broker harmless from any liability for good faith disbursement of earnest money in accordance with this Offer or
 264 applicable Department of Regulation and Licensing regulations concerning earnest money. See Wis. Adm. Code Ch. RL 18. **NOTE:**
 265 **WISCONSIN LICENSE LAW PROHIBITS A BROKER FROM GIVING ADVICE OR OPINIONS CONCERNING THE LEGAL RIGHTS**
 266 **OR OBLIGATIONS OF PARTIES TO A TRANSACTION OR THE LEGAL EFFECT OF A SPECIFIC CONTRACT OR CONVEYANCE.**
 267 **AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS REQUIRED.**

268 PROPERTY ADDRESS: Lot #10 Province Terrace Plat, Menasha WI
269 OPTIONAL PROVISIONS: THE PARAGRAPHS AT LINES 271 - 314 WHICH ARE PRECEDED BY A BOX ARE A PART OF THIS OFFER IF
270 MARKED, SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF MARKED N/A OR ARE LEFT BLANK.
271 ☐ PROPOSED USE CONTINGENCY: Buyer is purchasing the property for the purpose of: _____ This Offer is contingent upon Buyer obtaining the following:

272 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a qualified soils expert that the Property is free of any subsoil
273 condition which would make the proposed development impossible or significantly increase the costs of such development.
274 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a certified soils tester or other qualified expert that indicates that
275 the Property's soils at locations selected by Buyer and all other conditions which must be approved to obtain a permit for an acceptable private
276 septic system for: _____ [insert proposed use of Property; e.g., three
277 bedroom single family home] meet applicable codes in effect as of the date of this offer. An acceptable system includes all systems approved
278 for use by the State for the type of property identified at line 277. An acceptable system does not include a holding tank, privy, composting
279 toilet or chemical toilet or other systems (e.g. mound system) excluded in additional provisions or an addendum per lines 179 - 188.

280 ☐ Copies at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense of all public and private easements, covenants and restrictions affecting the
281 Property and a written determination by a qualified independent third party that none of these prohibit or significantly delay or increase
282 the costs of the proposed use or development identified at lines 271 to 272.
283 ☐ Permits, approvals and licenses, as appropriate, or the final discretionary action by the granting authority prior to the issuance
284 of such permits, approvals and licenses at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense for the following items related to the proposed
285 development: _____

286 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense that the following utility connections are located as follows (e.g.,
287 on the Property, at the lot line across the street, etc.): electricity _____; gas _____; sewer
288 _____; water _____; telephone _____; other _____

289 This proposed use contingency shall be deemed satisfied unless Buyer within _____ days of acceptance delivers
290 written notice to Seller specifying those items of this contingency which cannot be satisfied and written evidence substantiating why each
291 specific item included in Buyer's notice cannot be satisfied.

292 ☐ MAP OF THE PROPERTY: This Offer is contingent upon (Buyer obtaining) (Seller providing) ~~STRIKE ONE~~ a map of the Property prepared
293 by a registered land surveyor, within _____ days of acceptance, at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense. The map shall identify the legal
294 description of the Property, the Property's boundaries and dimensions, visible encroachments upon the Property, the location of improvements,
295 if any, and: _____

296 ~~STRIKE AND COMPLETE AS APPLICABLE~~ Additional map features
297 which may be added include, but are not limited to: specifying how current the map must be; staking of all corners of the Property; identifying
298 dedicated and apparent street, lot dimensions, total acreage or square footage, easements or rights-of-way. **CAUTION: Consider the cost**
299 **and the need for map features before selecting them.** The map shall show no significant encroachment(s) or any information materially
300 inconsistent with any prior representations to Buyer. This contingency shall be deemed satisfied unless Buyer, within five days of the earlier
301 of: 1) Buyer's receipt of the map, or 2) the deadline for delivery of said map, delivers to Seller, and to listing broker if Property is listed, a copy
302 of the map and a written notice which identifies the significant encroachment or the information materially inconsistent with prior representations.

303 ☐ INSPECTION CONTINGENCY: This Offer is contingent upon a qualified independent inspector(s) conducting an inspection(s), at
304 Buyer's expense, of the Property and _____

305 which discloses no defects as defined below. This contingency shall be deemed satisfied
306 unless Buyer within _____ days of acceptance delivers to Seller, and to listing broker if Property is listed, a copy of the inspector's
307 written inspection report and a written notice listing the defects identified in the report to which Buyer objects. This Offer shall be null and
308 void upon timely delivery of the above notice and report. **CAUTION: A proposed amendment will not satisfy this notice requirement.**
309 Buyer shall order the inspection and be responsible for all costs of inspection, including any inspections required by lender or follow-up to
310 inspection. Note: This contingency only authorizes inspections, not testing, see lines 98 to 110. For the purposes of this contingency a defect
311 is defined as any condition of the Property which constitutes a significant threat to the health or safety of persons who occupy or use the
312 Property or gives evidence of any material use, storage or disposal of hazardous or toxic substances on the Property. Defects do not include
313 conditions the nature and extent of which Buyer had actual knowledge or written notice before signing this Offer.

314 This Offer was drafted on 07/11/2008 [date] by [Licensee and Firm] Jason Gallmeier Bomier Properties

316 (X) Buyer's Signature Jason Wiegert Social Security No. or FEIN 72-85-813 Date 07-11-08
317 Buyer's Signature ▲ Print Name Here: Jason Wiegert

318 (X) Buyer's Signature ▲ Print Name Here: _____ Social Security No. or FEIN ▲ Date ▲

319 EARNEST MONEY RECEIPT Broker acknowledges receipt of earnest money as per line 8 of the above Offer. (See lines 242 - 267)

320 Broker (By)
321 SELLER ACCEPTS THIS OFFER. THE WARRANTIES, REPRESENTATIONS AND COVENANTS MADE IN THIS OFFER SURVIVE CLOSING AND
322 THE CONVEYANCE OF THE PROPERTY. SELLER AGREES TO CONVEY THE PROPERTY ON THE TERMS AND CONDITIONS AS SET FORTH
323 HEREIN AND ACKNOWLEDGES RECEIPT OF A COPY OF THIS OFFER.
324

325 (X) Seller's Signature City of Menasha Social Security No. or FEIN ▲ Date ▲

326 (X) Seller's Signature Jason Gallmeier Social Security No. or FEIN ▲ Date ▲

327 This Offer was presented to Seller by Jason Gallmeier on July 11, 2008, at 2:40 a.m./p.m.

328 THIS OFFER IS REJECTED THIS OFFER IS COUNTERED [See attached counter]
329 Seller Initials ▲ Date ▲ Seller Initials ▲ Date ▲

**ADDENDUM A
TO OFFER TO PURCHASE FOR
Lot #10, in the Province Terrace Plat
Approx. 2.904 Acres
City of Menasha
July 11, 2008**

The following terms and conditions shall be deemed to be a part of the foregoing attached Offer to Purchase dated July 11, 2008 ("Offer") by Wiegert Enterprises for the real estate described in the Offer ("Property").

1. This Offer is subject to Buyer obtaining financing in the amount of \$95,000 with an interest rate not to exceed 7.5% amortized over a period of 30 years, with monthly payments not to exceed \$664.25. Buyer shall have until on or before August 5th, 2008 to obtain such financing. In the event Buyer is unable to obtain said financing, Buyer shall serve written notice to Seller to that effect on or before August 5th, 2008; and the Offer shall become null and void, and all earnest money returned to Buyer. Should Buyer fail to serve said written notice, Seller shall deem this contingency waived.
2. The purchase, its successor or assigns of lot 10 in the Province Terrace Plat within the City of Menasha, Calumet County, Wisconsin shall agree that within 18 months it/he/she will from the date of closing erect a building of structure of 5000 square feet or more for such purpose or purposes as may be permitted, under the terms of any restriction in these covenants, zoning codes, Plan Commission requirements, and in accordance with the building code. In the event a purchaser fails to perform this condition within the time specified, the City shall have the option to repurchase said property for an amount of money equal to the purchase price paid by the purchaser. The City shall have the right to exercise this option until such time as the City, in recordable form, agrees not to exercise this option.
3. Seller acknowledges to Buyer that the property is currently zoned Residential (R-2). This Offer is contingent upon Seller cooperating with Buyer to get the property rezoned to Commercial (C-3) for Buyer's intended use on or before August 5th, 2008. If Buyer is unable to obtain said rezoning, Buyer shall serve written notice on Seller to that effect on or before August 5th, 2008; and this Offer shall become null and void, and all earnest money shall be returned to Buyer. Should Buyer fail to serve said written notice, Seller shall deem this contingency waived.
4. Seller agrees, at Seller's expense, to provide a legal description, updated survey or C.S.M. if required, and stake the corners and wetlands areas of the property 10 days prior to closing.
5. Seller acknowledges to Buyer that a portion of the property may have wetlands and is in the 100-year floodplain. Buyer shall have until on or before August 5th, 2008 to investigate wetland and floodplain issues. If Buyer determines that the property is unsuitable for Buyer's proposed development, Buyer shall serve written notice to Seller to that effect on or before August 5th, 2008, and this Offer shall become null and void and all earnest money returned to Buyer. Should Buyer fail to serve written notice, Seller shall deem this contingency waived.
6. This Offer is subject to Seller receiving approval from the Menasha City Council to sell said property. Seller shall have until August 5th, 2008 to receive all approvals. If Seller is unable to obtain said approvals by August 5th, 2008, Seller shall serve written notice to Buyer to the effect on or before August 5th, 2008; and this Offer shall become null and void, and all earnest money shall be returned to Buyer.
7. Buyer and Seller acknowledge facsimiles of the Offer to Purchase and/or all Attachments in the form of a fax transmission signed or fully executed shall be deemed as an original document.



MEMORANDUM

To: Mayor and Common Council

From: PRD Tungate

Date: July 16, 2008

RE: Free Admission Day at the Pool

The Parks and Recreation Board made a recommendation to offer a free admission day at the pool on Saturday, August 9, 2008. The Board's intent behind this action was to attract new people to the pool or perhaps individuals who have been hesitant to come to the pool for whatever reason. If approved, we would advertise this event in our Recreation newsletter, city website, etc.

I estimate that the revenue impact would be approximately \$600.00. Weather is the biggest factor that influences daily revenue. Your consideration of this recommendation is appreciated.



Memorandum

TO: Administration Committee/Common Council
FROM: Greg Keil, CDD *GK*
DATE: July 16, 2008
RE: Request to Extend Timetable for Landscaping 81/87 Racine St. & 504 Broad St.

The Community Development Department and Mayor's Office has been approached concerning the possible sale of the above-referenced parcels for development of a professional office building. The party who is exploring the feasibility of this project wishes to remain anonymous. They have established a deadline of August 10, 2008 to submit a proposal to the city for acquisition of the property. In light of this possibility, I am requesting that the Common Council extend its deadline for landscaping the site to September 10, 2008.

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 7/10/08-7/17/08	\$ 609,024.89
Checks # 17608-17764	

Payroll Checks for 7/10/08-7/17/08	<u>168,005.89</u>
Checks # 39644-39922	

Total	\$ 777,030.78
-------	---------------

**Gaps in the sequence of accounts payable check numbers may be caused by: voiding checks at the start of a new check run to set up printing of the checks correctly, having a large number of invoices on a particular vendor which causes the payment to be printed on more than one accounts payable check , incorrect alphabetizing of a vendor causing the accounts payable check to appear out of sequence or software/printer problems which result in accounts payable checks being printed incorrectly and needing to be discarded.

Menasha Employees Credit Union-Employee Deductions

Menasha Employees Local 1035-Union Dues

Menasha Employees Local 1035B-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

AMT-Garnishments

Date: Thursday, July 10, 2008
Time: 09:13AM
User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 9
Report: 03630Alt.rpt
Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
00150 5 ALARM FIRE & SAFETY EQUIPMEN	083465-01	31201	54	10-301-300	261.00	CYLINDER/SENSORS
	083465-02	31201	54	10-301-300	685.00	MSA 5 STAR SENSOR
	Check Date 7/10/2008	Check Nbr	017608	Check Total:	946.00	
01030 AAA SANITATION INC	152902	31100	55	07-202-209	165.00	PORTABLE TOILET/BOAT LANDING
	Check Date 7/10/2008	Check Nbr	017609	Check Total:	165.00	
01075 ACCURATE SUSPENSION WAREHOUSE	8010148	31731	54	10-149-383	4.91	AMBER LAMP
	8010071	31731	54	10-149-383	187.54	TIE ROD END
	Check Date 7/10/2008	Check Nbr	017610	Check Total:	192.45	
01465 ALL-SPORT TROPHY	39805	31100	55	07-201-300	84.00	NAME TAGS
	Check Date 7/10/2008	Check Nbr	017611	Check Total:	84.00	
01630 AMERICAN RED CROSS OF NEENAH-	1905	31100	55	07-201-337	170.00	CPR/AED CLASS
	Check Date 7/10/2008	Check Nbr	017612	Check Total:	170.00	
01640 AMERICAN TEST CENTER INC	2081690	31731	54	10-149-294	305.00	ANNUAL SAFETY INSP/BUCKET TRK
	Check Date 7/10/2008	Check Nbr	017613	Check Total:	305.00	
02040 BADGER HIGHWAYS CO INC	140963	31100	54	10-134-300	418.34	SAND BAGS
	141024	31100	54	10-134-300	182.77	HOTMIX ASPHALT
	140964	31100	55	07-202-300	92.37	SCREENINGS
	Check Date 7/10/2008	Check Nbr	017614	Check Total:	693.48	
02105 BAHCALL RUBBER CO INC	446167-001	31201	54	10-301-315	748.10	ALUM COUPLERS/CLAMPS/STOCK
	Check Date 7/10/2008	Check Nbr	017615	Check Total:	748.10	

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02717 JEFFREY BRANDT	070108	31100	51	02-103-331	61.61	MILEAGE/MEALS
	070108	31100	51	02-103-333	19.46	MILEAGE/MEALS
	070108	31100	51	02-103-338	109.09	MILEAGE/MEALS
	070108	31100	51	02-105-331	24.24	MILEAGE/MEALS
Check Date	7/10/2008	Check Nbr	017617	Check Total:	214.40	
02730 BRAZEE ACE HARDWARE	000928	31207	55	07-205-240	3.10	FASTENERS/MARINA
	000934	31100	52	08-101-240	66.97	GARAGE FLOOR DRAIN/PD
	001030	31100	55	07-202-300	8.45	MATERIALS FOR FOUNTAIN
	001041	31100	53	09-212-240	5.48	SWITCH KITCHEN LIGHT SR CENTER
	001273	31100	55	07-202-240	6.47	BULBS/SMITH PARK
	001274	31100	55	07-202-315	3.79	MEASURE CUP/ROUNDUP
Check Date	7/10/2008	Check Nbr	017618	Check Total:	94.26	
02796 BUBRICK'S	136886	31100	52	08-101-310	88.61	OFFICE SUPPLIES
Check Date	7/10/2008	Check Nbr	017619	Check Total:	88.61	
03145 CAREW CONCRETE & SUPPLY CO INC	770631	31207	55	07-205-240	190.00	MARINA CONCRETE REPAIR
Check Date	7/10/2008	Check Nbr	017620	Check Total:	190.00	
03247 CDW GOVERNMENT INC	KRR3309	31100	51	04-109-315	161.57	VOICE RECOGNITION SOFTWARE
	ksq05111	31100	51	04-109-315	239.54	REPLACE LCD DISPLAY AT PD
Check Date	7/10/2008	Check Nbr	017622	Check Total:	401.11	
03853 CUMINGS ELECTRIC INC &	0006554-IN	31263	56	03-207-701	225.00	HOME REHAB PROGRAM
		31263	56	03-207-701	-225.00	VOID CHECK 17455
Check Date	7/10/2008	Check Nbr	017624	Check Total:	0.00	
03846 CUMMINS NPOWER LLC	802-50678	31731	54	10-149-383	35.15	TUBE/FUEL SUPPLY
Check Date	7/10/2008	Check Nbr	017623	Check Total:	35.15	

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
06075 FASTENAL COMPANY	WINEE35144	31100	55	07-202-240	8.83	REPAIRS/SMITH
	Check Date	7/10/2008	Check Nbr	017625	Check Total:	8.83
06110 FERGUSON ENTERPRISES INC #448	0351143	31100	55	07-202-240	31.03	COUPLER/SMITH
	0353567	31100	55	07-202-240	56.58	FOUNTAIN REPAIR
	0353081	31100	55	07-202-240	335.99	VANDALISM/CLOVIS
	Check Date	7/10/2008	Check Nbr	017626	Check Total:	423.60
07080 GANNETT WISCONSIN NEWSPAPERS	0003453189	31100	51	02-104-292	101.75	LEGALS
	0003453189	31100	51	04-101-292	1,065.02	LEGALS
	Check Date	7/10/2008	Check Nbr	017627	Check Total:	1,166.77
07345 GRAINGER INC	9661494253	31100	55	07-202-240	67.86	FAN MOTOR/JEFFERSON
	Check Date	7/10/2008	Check Nbr	017628	Check Total:	67.86
08235 HEARTLAND LABEL PRINTERS INC	IVC000165048	31100	51	04-109-801	451.42	DATA TAPES/EMAIL ARCHIVE PROJ
	IVC000164394	31100	51	04-109-315	5,017.17	BACKUP SYSTEM UPGRADE
	Check Date	7/10/2008	Check Nbr	017629	Check Total:	5,468.59
08465 HOME DEPOT CREDIT SERVICES	710729	31100	51	10-115-315	39.97	BATTERY PACK FOR DRILL
	2082382	31100	53	09-102-313	20.45	GLASS WINDOW TINTING KIT
	2562602	31100	54	10-131-300	21.96	FERTILIZER
	991530	31100	53	09-212-240	7.96	SPRAY HEAD
	9991580	31100	55	07-203-315	149.91	SHELVES
	8093412	31100	55	07-202-240	139.00	DEHUMIDIFIER/MEM BLDG
	Check Date	7/10/2008	Check Nbr	017630	Check Total:	379.25
09105 INDEPENDENT INSPECTIONS LTD	301451	31100	52	03-301-216	6,305.99	PERMITS FOR JUNE 2008
	Check Date	7/10/2008	Check Nbr	017631	Check Total:	6,305.99

Date: Thursday, July 10, 2008
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CITY OF MENASHA
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
10225 JOE'S POWER CENTER	71073	31100	55	07-202-300	79.90	STRING TRIM LINE
	71120	31100	54	10-502-300	399.92	BLOWER/TRIMMER
	Check Date	7/10/2008	Check Nbr	017632	Check Total:	479.82
10335 JX ENTERPRISES INC	D281700030	31731	54	10-149-383	-240.52	ASSY-BALL & SOCKET CREDIT MEMO
	D281720129	31731	54	10-149-383	1,641.49	MODULE/COVER/PLATE
	D281790097	31731	54	10-149-383	421.00	ENCLOSURE MODULE
	Check Date	7/10/2008	Check Nbr	017633	Check Total:	1,821.97
11165 KJ WASTE SYSTEMS INC	070108	31266	54	10-307-216	1,033.00	CORRUGATE/CO-MINGLE
	Check Date	7/10/2008	Check Nbr	017634	Check Total:	1,033.00
11365 KUNDINGER FLUID POWER INC	50019894	31731	54	10-149-300	65.75	TEFLON TAPE/PART
	50019894	31731	54	10-149-383	12.60	STREET TEE/CONNECTOR
	Check Date	7/10/2008	Check Nbr	017635	Check Total:	78.35
12250 LAWSON PRODUCTS INC	6952864	31731	54	10-149-300	190.90	STOCK SUPPLIES
	Check Date	7/10/2008	Check Nbr	017636	Check Total:	190.90
12270 LEAGUE OF WISCONSIN MUNICIPALI	19969	31100	51	02-103-338	20.00	ATTORNEY/LUNCHEON
	Check Date	7/10/2008	Check Nbr	017637	Check Total:	20.00
	070908	31100	51	01-102-332	120.00	CHIEF EXEC WORKSHOP/MERKES
	Check Date	7/10/2008	Check Nbr	017638	Check Total:	120.00
12450 LINCOLN CONTRACTORS SUPPLY INC	10442630	31100	54	10-121-315	436.00	WET ASPHALT ARBOR
	5837150	31100	54	10-134-300	37.33	WIRE TIES/TYING TOOL
	5837120	31100	54	10-134-300	172.50	POLY SAND BAGS
	10441730	31100	54	10-134-300	167.67	POLY SAND BAGS
	Check Date	7/10/2008	Check Nbr	017639	Check Total:	813.50

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13097 MARSHALL & ILSLEY TRUST-MILW	5115584	31100	51	02-105-216	260.00	MONTHLY FEE TO 5/31/08
Check Date	7/10/2008	Check Nbr	017640	Check Total:	260.00	
13149 MATTHEWS COMMERCIAL TIRE CTR	025726	31731	54	10-149-382	32.28	TIRE SERVICE
	025722	31731	54	10-149-382	359.70	TIRE SERVICE
	025765	31731	54	10-149-382	770.60	TIRE SERVICE
Check Date	7/10/2008	Check Nbr	017641	Check Total:	1,162.58	
13150 MATTHEWS TIRE & AUTO SERVICE	331252	31731	54	10-149-382	393.96	TIRE SERVICE
Check Date	7/10/2008	Check Nbr	017642	Check Total:	393.96	
13360 MENASHA ELECTRIC & WATER UTILI	062508	31100	12	04-399-000	7.33	RACINE/NINTH
	062508	31100	53	09-102-223	107.86	HEALTH DEPT
	062508	31100	53	09-102-225	34.93	HEALTH DEPT
	062508	31100	54	10-131-223	186.98	TRAFFIC LIGHTS
	062508	31201	54	10-301-223	89.97	LIFT STATIONS
	062508	31100	55	07-202-223	593.78	PARKS
	062508	31100	55	07-202-223	11.90	PARKS
	062508	31100	55	07-202-225	536.26	PARKS
Check Date	7/10/2008	Check Nbr	017643	Check Total:	1,569.01	
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,789.00	
Check Date	7/10/2008	Check Nbr	017644	Check Total:	1,789.00	
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	290.00	
Check Date	7/10/2008	Check Nbr	017645	Check Total:	290.00	
13420 MENASHA PARK & RECREATION	070808	31100	55	07-201-300	38.67	SUPPLIES
Check Date	7/10/2008	Check Nbr	017646	Check Total:	38.67	

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13685 MINNESOTA MUTUAL LIFE INSURANC	AUGUST2008	31100	21	04-618-000	2,486.92	BASIC
Check Date	7/10/2008	Check Nbr	017647	Check Total:	2,486.92	
14175 NEENAH FOUNDRY CO	36395	31100	54	10-121-300	2,560.00	FRAMES/LIDS/PLATES/GRATES
	36395	31100	54	10-134-300	2,853.00	FRAMES/LIDS/PLATES/GRATES
	36395	31201	54	10-301-300	7,406.40	FRAMES/LIDS/PLATES/GRATES
Check Date	7/10/2008	Check Nbr	017648	Check Total:	12,819.40	
14290 NEUMAN POOLS INC	0032427-IN	31100	55	07-203-243	213.25	ROTARY FLOW SWITCH CABLE
Check Date	7/10/2008	Check Nbr	017649	Check Total:	213.25	
14385 NOFFKE LUMBER INC	080620811780	31100	55	07-202-240	14.56	FORM LUMBER
Check Date	7/10/2008	Check Nbr	017650	Check Total:	14.56	
15080 OFFICEMAX INC	911454	31100	56	03-202-291	146.70	OFFICE SUPPLIES
Check Date	7/10/2008	Check Nbr	017651	Check Total:	146.70	
16025 PACKER CITY INTERNATIONAL	3281630049	31731	54	10-149-383	42.54	BRAKE CHAMBER
	3281630005	31731	54	10-149-383	207.48	LINK
	3281630037	31731	54	10-149-383	200.32	BULKSPBR/CHAMBER
	3281640052	31731	54	10-149-383	13.05	LIGHT
	3281640015	31731	54	10-149-383	81.99	AIR FILTS/HYDRAULI
	3281690068	31731	54	10-149-383	77.58	STROBE
	3281690044	31731	54	10-149-383	20.96	FILTER/FUELFILTERS
	3281690047	31731	54	10-149-383	6.49	TUBE/ELBOW
Check Date	7/10/2008	Check Nbr	017652	Check Total:	650.41	
16095 PARTS ASSOCIATES INC	PAI0762387	31731	54	10-149-300	208.13	HEAT SHRINK/FUSES/RIVETS/STOCK
Check Date	7/10/2008	Check Nbr	017653	Check Total:	208.13	

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16190 PEPSI AMERICAS	8220316904	31100	55	07-203-317	162.00	POOL CONCESSIONS
Check Date	7/10/2008	Check Nbr	017654	Check Total:	162.00	
16465 POSTAL ANNEX	133228	31100	52	08-101-311	43.72	POSTAGE
Check Date	7/10/2008	Check Nbr	017655	Check Total:	43.72	
16815 PSS-CHICAGO	45562389	31100	53	09-102-300	56.00	MEDICAL SUPPLIES
Check Date	7/10/2008	Check Nbr	017656	Check Total:	56.00	
18050 RADTKE CONTRACTORS INC	27541	31100	55	07-202-204	1,524.00	BEACH BUOYS/MUNI BEACH
Check Date	7/10/2008	Check Nbr	017657	Check Total:	1,524.00	
19140 SCHARPF'S OFFICE PRODUCTS INC	385771	31731	54	10-149-310	46.50	TRIMMER
	385771	31100	55	07-202-310	46.49	TRIMMER
Check Date	7/10/2008	Check Nbr	017658	Check Total:	92.99	
19380 SHOPKO STORES INC	53061	31100	55	07-201-300	113.68	PROGRAM SUPPLIES
Check Date	7/10/2008	Check Nbr	017659	Check Total:	113.68	
19465 SPEEDY CLEAN INC	9174	31201	54	10-301-216	867.50	TELEVISION LINES/CARVER LN
Check Date	7/10/2008	Check Nbr	017660	Check Total:	867.50	
02430 STANLEY SECURITY SOLUTIONS INC	WI-478780	31100	55	07-202-240	36.24	KEYS
Check Date	7/10/2008	Check Nbr	017616	Check Total:	36.24	
20115 TESCH CHEMICAL CO INC	TC110744	31100	55	07-202-315	19.46	CLEAN KITCHEN/JEFFERSON
Check Date	7/10/2008	Check Nbr	017661	Check Total:	19.46	

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20155 THEDACARE LABORATORIES	200806-0	31100	12	04-399-000	26.40	HEP B
Check Date	7/10/2008	Check Nbr	017662	Check Total:	26.40	
20315 TRADER PLUMBING	32244	31100	55	07-202-240	31.31	STOCK
	32244	31100	55	07-203-240	46.49	STOCK
Check Date	7/10/2008	Check Nbr	017663	Check Total:	77.80	
21045 UNIFIRST CORPORATION	0970033806	31731	54	10-149-201	80.58	MAT/MOP/CLOTHING PROTECTION
Check Date	7/10/2008	Check Nbr	017664	Check Total:	80.58	
21060 UNITED PAPER CORPORATION	61739	31100	13	04-106-000	73.44	WASTEBASKET
Check Date	7/10/2008	Check Nbr	017665	Check Total:	73.44	
22120 VALLEY POPCORN CO INC	81265	31100	55	07-203-317	164.65	POOL CONCESSIONS
Check Date	7/10/2008	Check Nbr	017666	Check Total:	164.65	
03225 WC INDUSTRIAL SUPPLY COMPANY	0001325-IN	31731	54	10-149-383	8.01	V-BELT
Check Date	7/10/2008	Check Nbr	017621	Check Total:	8.01	
23215 WIL-KIL PEST CONTROL	1308503	31731	54	10-149-207	63.00	COMMERCIAL CONTRACT
Check Date	7/10/2008	Check Nbr	017667	Check Total:	63.00	
23275 WINNEBAGO COUNTY TREASURER	100426	31100	52	08-602-250	2,090.00	JAIL DIVISION
Check Date	7/10/2008	Check Nbr	017668	Check Total:	2,090.00	

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23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	536.31	
		31100	21	04-299-016	138.40	
Check Date	7/10/2008	Check Nbr	017669	Check Total:	674.71	
Grand Total:					50,922.76	

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01050 ACC PLANNED SERVICE INC	13910	31100	52	08-101-240	2,469.44	GUN RANGE AIR EXCHANGE
	13907	31100	51	10-115-240	206.50	FILTERS
	13911	31100	52	05-201-240	483.56	HVAC SYSTEM REPAIRS
	13911	31100	52	08-101-240	725.34	HVAC SYSTEM REPAIRS
	13909	31100	52	05-201-240	143.06	REPLACED STATS #35
	13908	31100	52	05-201-240	443.05	PACKING KIT/ACTUATOR/FIRE DEPT
	13906	31731	54	10-149-240	587.00	CONTACTOR E FAN/MECHANIC SHOP
Check Date	7/17/2008	Check Nbr	017670		Check Total:	5,057.95
01075 ACCURATE SUSPENSION WAREHOUSE	8010458	31731	54	10-149-383	1,215.51	SPRINGS/UBOLT WASHERS/STOCK
	8010499	31731	54	10-149-383	2.90	MINI LAMP
Check Date	7/17/2008	Check Nbr	017671		Check Total:	1,218.41
01315 AIRGAS NORTH CENTRAL	105074759	31731	54	10-149-300	126.43	ARGON
	Check Date	7/17/2008	Check Nbr	017672	Check Total:	126.43
01465 ALL-SPORT TROPHY	39872	31100	55	07-201-300	247.00	TOURNAMENT RIBBONS
	Check Date	7/17/2008	Check Nbr	017673	Check Total:	247.00
01630 AMERICAN RED CROSS OF NEENAH-	1922	31100	12	04-399-000	540.00	CPR/AED COURSE FEES
	1922	31100	51	10-115-337	5.00	CPR/AED COURSE FEES
	1922	31100	53	09-102-337	15.00	CPR/AED COURSE FEES
	1922	31100	53	09-212-337	5.00	CPR/AED COURSE FEES
	1922	31100	55	06-101-337	5.00	CPR/AED COURSE FEES
	1922	31100	55	07-201-337	40.00	CPR/AED COURSE FEES
	Check Date	7/17/2008	Check Nbr	017674	Check Total:	610.00
01675 AMT		31100	21	04-299-022	150.00	
	Check Date	7/17/2008	Check Nbr	017675	Check Total:	150.00

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01775 CITY OF APPLETON	176182	31100	51	02-117-292	19.83	ABSENT VOTER PUBLICATION
	Check Date	7/17/2008	Check Nbr	017676	Check Total:	19.83
19120 AT&T	920R09453007	31100	51	10-115-221	83.10	MONTHLY SERVICE 7-4/8-3-08
	920R09453007	31201	54	10-301-221	221.70	MONTHLY SERVICE 7-4/8-3-08
	Check Date	7/17/2008	Check Nbr	017733	Check Total:	304.80
02040 BADGER HIGHWAYS CO INC	141071	31201	54	10-301-300	4,401.12	HOTMIX ASPHALT BASE COURSE
	141085	31100	54	10-122-300	200.00	TACK COAT B
	141085	31201	54	10-301-300	200.00	TACK COAT B
	2008-01	31490	21	04-205-000	-2,081.38	NEW STREET CONSTRUCTION
	2008-01	31100	54	10-121-822	1,000.00	NEW STREET CONSTRUCTION
	2008-01	31490	54	10-121-822	16,506.26	NEW STREET CONSTRUCTION
	2008-01	31490	54	10-134-822	3,307.50	NEW STREET CONSTRUCTION
	Check Date	7/17/2008	Check Nbr	017678	Check Total:	23,533.50
02105 BAHCALL RUBBER CO INC	446362-001	31100	54	10-134-300	809.78	CAMERA/ADAPTERS
	Check Date	7/17/2008	Check Nbr	017679	Check Total:	809.78
02335 BECK ELECTRIC INC	E170	31100	54	10-143-216	70.20	SECURE LIGHT/RACINE ST BRIDGE
	E174	31100	54	10-131-216	285.00	LOCATES
	E174	31100	54	10-143-216	285.00	LOCATES
	D254	31100	55	07-202-204	1,498.85	LIGHT POLE REPAIR TRESTLE TRAL
	Check Date	7/17/2008	Check Nbr	017680	Check Total:	2,139.05
02410 BERGSTROM	102424	31731	54	10-149-383	187.22	BEARING/SHAFT/SEAL
	Check Date	7/17/2008	Check Nbr	017681	Check Total:	187.22
02796 BUBRICK'S	139662	31100	52	08-101-310	173.95	OFFICE SUPPLIES
	Check Date	7/17/2008	Check Nbr	017682	Check Total:	173.95

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03275 CENTRAL AUDIO-VISUAL EQUIPMENT	08-11033	31100	52	08-101-300	146.50	DURACELL AA BATTERY
	Check Date 7/17/2008	Check Nbr	017684		Check Total:	146.50
03490 CLEAR WATER CAR WASH	2214	31100	52	08-101-295	21.48	VEHICLES WASHES/JUNE 2008
	Check Date 7/17/2008	Check Nbr	017686		Check Total:	21.48
03842 CULLIGAN WATERCARE SERVICES	063008	31100	51	10-115-201	17.85	COOLER RENTAL
	063008	31731	54	10-149-313	5.95	COOLER RENTAL
	063008	31100	55	07-203-310	188.24	COOLER RENTAL
	301419	31100	55	07-203-310	32.00	WATER
	Check Date 7/17/2008	Check Nbr	017687		Check Total:	244.04
04136 DAVIS & STANTON	15635	31100	52	08-101-315	6.00	COMMENDATION BARS
	Check Date 7/17/2008	Check Nbr	017688		Check Total:	6.00
04275 DIGICORPORATION	53679	31100	13	04-113-000	-13.16	ADJUSTMENT
	53679	31100	52	08-101-291	62.16	BUSINESS CARDS/A ZEMLOCK
	53528	31100	55	07-201-291	180.25	GRUNSKI RUNSKI RACE FLYERS
	53548	31100	55	07-203-291	40.00	TIME OFF REQUEST CARDS
	53639	31100	54	10-304-291	789.00	RECYCLING/NO COLLECTION NOTICE
	Check Date 7/17/2008	Check Nbr	017689		Check Total:	1,058.25
04305 DIVERSIFIED RISK INSURANCE	070808	31733	21	04-229-000	204.07	
	Check Date 7/17/2008	Check Nbr	017690		Check Total:	204.07
04350 DOMINO'S PIZZA	9533-IN	31100	55	07-201-300	164.44	3 ON 3 EVENT
	Check Date 7/17/2008	Check Nbr	017691		Check Total:	164.44
06065 FAMILY THERAPY & ANXIETY CTR	063008	31100	52	08-101-215	150.00	SERVICES PROVIDED/POLICE
	Check Date 7/17/2008	Check Nbr	017692		Check Total:	150.00

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06110 FERGUSON ENTERPRISES INC #448	0339439	31100	55	07-203-240	75.94	POOL REPAIRS
	0333812	31100	55	07-202-240	445.40	TOILETS AT CLOVIS
	0339839	31100	55	07-202-240	17.80	PLUMBING AT SMITH
	SC18098	31100	55	07-202-240	8.09	SERVICE CHARGE FOR JUNE
Check Date	7/17/2008	Check Nbr	017693	Check Total:	547.23	
06225 FIRST SUPPLY LLC	162112-00	31100	55	07-202-240	121.61	BATHROOM AND SPRINKLER REPAIRS
	Check Date	7/17/2008	Check Nbr	017694	Check Total:	121.61
01795 FORENSICS SOURCE	F08-175431	31100	52	08-101-300	25.90	HEMIDENT
	Check Date	7/17/2008	Check Nbr	017677	Check Total:	25.90
07250 GMN CONSULTING LLC	3308	31100	51	04-109-214	464.40	IT SERVICES
	Check Date	7/17/2008	Check Nbr	017695	Check Total:	464.40
07580 GUNDERSON UNIFORM & LINEN RENT	1261172	31100	52	08-101-313	31.70	TOWEL/MAT SERVICE
	1262234	31100	51	10-115-201	15.26	MOP/MAT SERVICE
	1262234	31100	53	09-212-313	3.46	MOP/MAT SERVICE
	1262234	31100	55	07-202-313	3.46	MOP/MAT SERVICE
	1263150	31100	52	08-101-313	31.70	TOWEL/MAT SERVICE
Check Date	7/17/2008	Check Nbr	017696	Check Total:	85.58	
08023 JILL HACKMASTER	071508	31822	55	04-107-316	250.00	HATTIE MINER SCHOLARSHIP
	Check Date	7/17/2008	Check Nbr	017697	Check Total:	250.00
08190 HAWKINS INC	1200808RI	31100	55	07-203-243	25.95	POOL SENSOR PART
	1201685RI	31100	55	07-203-300	4,106.11	CHEMICALS
Check Date	7/17/2008	Check Nbr	017698	Check Total:	4,132.06	

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08537 HSBC BUSINESS SOLUTIONS	1296000029266	31100	51	04-109-310	1.86	INDEX CARDS/MARKERS/ENV
Check Date	7/17/2008	Check Nbr	017699	Check Total:	1.86	
09150 INSITUFORM TECHNOLOGIES USA	PR-1450701A-02	31201	19	04-540-000	180,432.00	WW COLLECTION SYS REHAB/3
	PR-1450701A-02	31201	21	04-205-000	-9,021.60	WW COLLECTION SYS REHAB/3
	PR-1450701A-03	31201	19	04-540-000	266,084.00	WW COLLECTION SYS IMP/3
	PR-1450701A-03	31201	21	04-205-000	-13,304.20	WW COLLECTION SYS IMP/3
Check Date	7/17/2008	Check Nbr	017700	Check Total:	424,190.20	
10230 JOHN'S SAW SERVICE	8209	31731	54	10-149-383	131.93	AIR FILTERS
Check Date	7/17/2008	Check Nbr	017701	Check Total:	131.93	
11039 ROGER KANITZ	071008	31100	56	03-202-332	40.00	2008 ENERGY FAIR
Check Date	7/17/2008	Check Nbr	017702	Check Total:	40.00	

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11155 KITZ & PFEIL INC	052109-0028	31100	55	07-202-315	37.33	SNAP KNIFE/TANK SPRAYER
	052114-0064	31100	54	10-134-300	2.95	COUPLING/INSERT ELBOW
	052114-0141	31100	51	10-115-300	6.23	SUPPLIES
	052114-0141	31100	53	09-212-240	12.60	SEED
	052114-0155	31100	54	10-134-300	-1.79	RETURN INSERT ELBOW
	052214-0142	31100	55	07-202-240	1.62	MISC/VANDALISM @ CLOVIS
	052214-0192	31100	51	10-115-240	8.16	BASEBOARD TRIM/BRIDGE MUSEUM
	052314-0021	31100	55	07-202-240	10.34	VOLLEYBALL NET HOOKS
	052803-0018	31100	55	07-203-240	21.53	SCREEN/POOL CONCESSION STAND
	052814-0053	31100	51	10-115-300	21.94	BATTERY FOR AED CABINET/TAPE
	052814-0060	31731	54	10-149-383	27.54	HARDWARE MISC
	052814-0076	31100	55	07-203-240	28.96	REPAIRS/POOL MECHANICAL ROOM
	052903-0011	31100	53	09-212-240	2.96	SPARK PLUG/SR CTR LAWN MOWER
	052914-0047	31100	55	07-202-240	4.49	STAPLES FOR SIGNS
	052914-0088	31100	51	10-115-240	4.38	FLAG POLE STAIN
	052914-0088	31100	53	09-212-240	3.07	BULK SEED
	052914-0154	31100	55	07-202-240	10.78	SAFETY HASPS/REPAIR VAND CLOVS
	053014-0166	31100	55	10-215-313	6.29	BROOM
	053009-0010	31100	51	10-115-300	6.29	POLY FINISH FOR FLAG POLE ENDS
	060214-0072	31100	51	10-115-300	22.20	DISH SOAP/GLUE/LIQ NAILS/MISC
	060214-0125	31100	55	07-202-240	34.73	VANDALISM REPAIR/JEFFERSON
	060314-0081	31100	51	10-115-240	19.46	LIBRARY RESTROOM MISC
	060414-0039	31100	55	07-201-310	4.50	KEY
	060414-0045	31100	51	10-115-240	2.42	SCREW EYES/PUTTY
	060414-0084	31100	55	07-202-240	5.23	MISC SUPPLIES/JEFFERSON
	060514-0010	31100	51	10-115-315	10.78	PRUNER SET/FAB/SOD STAPLE
	060514-0090	31100	54	10-122-300	9.89	CHALK
	060603-0011	31731	54	10-149-383	32.31	AIR FILTER CARTRIDGE STOCK
	060603-0029	31731	54	10-149-383	4.11	SPARK PLUG
	060609-0003	31201	54	10-301-300	19.40	PVC CONDUIT/SS CLAMP
	060614-0060	31100	56	07-101-300	11.41	CHAIN FOR POLE SAW
	060614-0136	31100	54	10-111-300	32.94	PENNY NAILS FOR STAKING
	060903-0026	31731	54	10-149-383	8.54	THROTTLE CONTROL

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	060909-0015	31100	55	07-202-240	5.91	VANDALISM REPAIR/JEFFERSON
	060914-0061	31100	52	08-101-240	8.98	FAUCET HOSE CONNECTORS
	060914-0166	31201	54	10-301-300	13.81	CARVER LN/BASEMENT PUMP REPAIR
	061009-0035	31731	54	10-149-240	7.19	SIGN SHOP TOILET REPLACE HOSE
	061014-0187	31100	51	10-115-240	2.86	UPRIGHT SHELF/HARDWARE
	061014-0191	31100	51	10-115-240	1.16	ELEVATOR LIGHT STARTER
	061114-0073	31731	54	10-149-240	8.97	SIGN SHOP TOILET LEAK REPAIR
	061114-0185	31100	54	10-304-300	18.87	YELLOW TWINE
	061214-0067	31100	55	07-203-310	23.17	TRASH BAG
	061309-0007	31100	55	07-202-300	5.39	CABLE TIES FOR NETS/KOSLO
	061314-0018	31100	56	07-101-300	25.55	BAR OIL AND CHAIN
	061314-0121	31100	56	07-101-300	11.41	CHAIN FOR POLE SAW
	061709-0001	31100	54	10-131-300	34.62	NUTS/BOLTS/RR SIGNS
	061714-0074	31100	52	08-101-240	9.28	MIRACLE GRO/LIGHT SWITCH
	061814-0004	31100	54	10-304-300	28.86	MEASURING CUPS/SPRAYER
	061814-0025	31100	55	07-202-240	24.73	REPAIRS AT KOSLO
	061909-0035	31100	55	07-201-300	7.16	REC SUPPLIES
	061914-0007	31100	56	07-101-300	22.56	FORESTRY EQPT TO FELL TREES
	061914-0136	31731	54	10-149-240	27.17	MAINTENANCE URINAL
	061914-0208	31207	55	07-205-240	33.71	LEAK AT MARINA
	062009-0009	31100	55	07-201-300	4.50	KEY
	062014-0121	31100	55	07-203-240	3.14	BUSHING
Check Date 7/17/2008 Check Nbr 017707 Check Total:					762.59	
11235 KONE INC	17855084	31100	52	08-101-240	141.30	MAINTENANCE AGREEMENT
	17847552	31100	55	06-101-240	336.33	MAINTENANCE AGREEMENT
Check Date 7/17/2008 Check Nbr 017708 Check Total:					477.63	
11365 KUNDINGER FLUID POWER INC	50020616	31731	54	10-149-383	5.80	O-RINGS
Check Date 7/17/2008 Check Nbr 017709 Check Total:					5.80	

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12110 LAMERS BUS LINES INC	070908	31100	21	04-269-000	134.00	TRIP TO CALUMET COUNTY
	479612	31100	55	07-201-205	395.00	BUS TRIP MILLER PARK
Check Date	7/17/2008	Check Nbr	017710	Check Total:	529.00	
12170 LAPPEN SECURITY PRODUCTS INC	28362	31100	52	08-101-240	774.50	TRANSFORMER
				Check Total:	774.50	
12375 LEVENHAGEN CORPORATION	64288	31207	55	07-205-381	5,924.15	LEAD FREE GAS
	63798	31207	55	07-205-381	1,421.20	LEAD FREE GAS
	64286	31207	55	07-205-381	2,663.43	LEAD FREE GAS
Check Date	7/17/2008	Check Nbr	017712	Check Total:	10,008.78	
13149 MATTHEWS COMMERCIAL TIRE CTR	025892	31731	54	10-149-382	30.59	TIRE SERVICE
	025831	31731	54	10-149-382	24.83	TIRE SERVICE
	025830	31731	54	10-149-382	783.20	TIRE SERVICE
	025881	31731	54	10-149-382	6.35	TUBE FOR WHEELBARREL
Check Date	7/17/2008	Check Nbr	017713	Check Total:	844.97	
13335 MEMORIAL FLORISTS INC	02401740	31100	54	10-121-300	239.25	PETUNIA WAVES
	02400773	31100	55	07-202-300	1,151.55	FLOWERS
	02406985	31100	55	07-202-300	2,150.04	FLOWERS
	02406990	31100	55	07-202-300	1,449.72	FLOWERS
	02406994	31100	55	07-202-300	623.82	FLOWERS
Check Date	7/17/2008	Check Nbr	017714	Check Total:	5,614.38	
13345 MENARDS-APPLETON EAST	76389	31100	55	07-202-240	-45.53	PLUMBING REPAIRS/SMITH
	76389	31100	55	07-202-240	45.53	PLUMBING REPAIRS/SMITH
	76389	31100	55	07-202-240	45.53	REVERSE CREDIT ERROR
	78039	31100	55	07-202-240	44.95	PLUMBING PARTS
Check Date	7/17/2008	Check Nbr	017715	Check Total:	90.48	

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13360 MENASHA ELECTRIC & WATER UTILI	070208	31100	12	04-399-000	1,215.55	FIRE DEPT
	070208	31100	12	04-399-000	169.72	FIRE DEPT
	070208	31100	12	04-399-000	6.26	TRAFFIC LIGHTS
	070208	31100	52	08-101-223	1,678.61	POLICE DEPT
	070208	31100	52	08-101-225	234.37	POLICE DEPT
	070208	31100	54	10-131-223	230.87	TRAFFIC LIGHTS
	070208	31100	54	10-131-225	66.94	TRAFFIC LIGHTS
	070208	31731	54	10-149-223	1,170.86	PUBLIC WORKS FACILITY
	070208	31731	54	10-149-225	526.37	PUBLIC WORKS FACILITY
	070208	31201	54	10-301-223	27.13	LIFT STATIONS
	070208	31266	54	10-308-223	8.48	RECYCLING
	070208	31100	55	06-101-223	3,284.84	LIBRARY
	070208	31100	55	06-101-225	649.60	LIBRARY
	070208	31100	55	07-202-223	2,001.74	PARKS
	070208	31100	55	07-202-225	56.76	PARKS
	070208	31100	55	07-203-223	2,090.68	SWIMMING POOL
	070208	31100	55	07-203-225	5,237.40	SWIMMING POOL
	070208	31207	55	07-205-225	41.59	MARINA
	070208	31100	55	10-215-223	171.31	TAYCO ST BRIDGE
Check Date 7/17/2008 Check Nbr 017716 Check Total:					18,869.08	
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,810.00	
		31100	21	04-299-020	16,544.50	
Check Date 7/17/2008 Check Nbr 017717 Check Total:					18,354.50	
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	290.00	
Check Date 7/17/2008 Check Nbr 017718 Check Total:					290.00	
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	248.16	
Check Date 7/17/2008 Check Nbr 017719 Check Total:					248.16	

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13445 MENASHA PUBLIC WORKS FACILITY	071608	31100	54	10-124-315	43.79	POSTAGE
	071608	31100	54	10-131-315	9.00	POSTAGE
	Check Date	7/17/2008	Check Nbr	017720	Check Total:	52.79
13648 SCOTT MILLER	071608	31201	54	10-301-212	675.00	REIMBURSE SUMP PUMP/PIT
	Check Date	7/17/2008	Check Nbr	017721	Check Total:	675.00
13723 MODERN DAIRY INC	161868	31100	55	07-203-317	194.10	POOL CONCESSIONS
	161714	31100	55	07-203-317	536.38	POOL CONCESSIONS
	162106	31100	55	07-203-317	75.48	POOL CONCESSIONS
	162229	31100	55	07-203-317	79.58	POOL CONCESSIONS
	Check Date	7/17/2008	Check Nbr	017722	Check Total:	885.54
13755 MORTON SAFETY	277802	31100	55	07-202-215	44.38	MEDICAL SUPPLIES
	277801	31731	54	10-149-215	97.82	MEDICAL SUPPLIES
	Check Date	7/17/2008	Check Nbr	017723	Check Total:	142.20
14415 NORTHEAST ASPHALT INC	900770	31201	54	10-301-300	4,800.43	COMMERCIAL GRADE ASPHALT
	Check Date	7/17/2008	Check Nbr	017725	Check Total:	4,800.43

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03405 ONE COMMUNICATIONS	070208	31100	12	04-399-000	12.70	BUILDING INSPECTION
	070208	31100	12	04-399-000	410.35	MENASHA UTILITIES
	070208	31207	12	04-399-000	32.13	MARINA
	070208	31100	51	01-102-221	11.30	MAYOR
	070208	31100	51	02-103-221	6.42	ATTORNEY
	070208	31100	51	02-104-221	16.91	CLERK
	070208	31100	51	02-105-221	16.37	PERSONNEL
	070208	31100	51	04-106-221	46.51	FINANCE
	070208	31100	51	04-107-221	5.34	ASSESSOR
	070208	31100	51	04-109-221	22.61	IT
	070208	31100	51	10-115-221	68.01	CITY HALL
	070208	31100	52	05-701-221	64.04	EOC
	070208	31100	52	08-101-221	360.87	POLICE
	070208	31100	53	09-102-221	87.03	HEALTH
	070208	31100	53	09-212-221	33.10	SENIOR
	070208	31100	54	10-111-221	63.86	ENGINEERING
	070208	31100	54	10-131-221	5.34	SIGN
	070208	31731	54	10-149-221	44.52	GARAGE
	070208	31100	55	06-101-221	184.09	LIBRARY
	070208	31100	55	07-201-221	20.11	RECREATION
	070208	31100	55	07-202-221	92.17	PARKS
	070208	31100	55	07-203-221	51.63	POOL
	070208	31100	55	10-215-221	37.50	BRIDGE
	070208	31100	56	03-202-221	31.16	COM DEV
Check Date	7/17/2008	Check Nbr	017685	Check Total:	1,724.07	

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16025 PACKER CITY INTERNATIONAL	3281700042	31731	54	10-149-383	10.90	AIR FILT/LUBEFILT/PLUG/AIRHOSE
	3281700046	31731	54	10-149-383	7.78	FUELFILTER
	3281700062	31731	54	10-149-383	27.90	AIR FILT
	3281700063	31731	54	10-149-383	24.52	AIR FILT
	3281700047	31731	54	10-149-383	77.58	STROBE
	3281710052	31731	54	10-149-383	12.12	FUELFILT
	3281720060	31731	54	10-149-383	77.58	STROBE
Check Date	7/17/2008	Check Nbr	017726	Check Total:	238.38	
16125 PBBS EQUIPMENT CORPORATION	46499	31100	55	07-203-243	835.00	POOL BOILER REPAIR
	Check Date	7/17/2008	Check Nbr	017727	Check Total:	835.00
16175 PELLETIER'S RESTAURANT	070708	31100	21	04-269-000	50.00	DOOR CO FISH BOIL/TRIP
	Check Date	7/17/2008	Check Nbr	017728	Check Total:	50.00
16190 PEPSI AMERICAS	8220317612	31100	55	07-203-317	470.00	POOL CONCESSIONS
	Check Date	7/17/2008	Check Nbr	017729	Check Total:	470.00
16275 PICK N SAVE/NOW COMDATA	008526	31827	53	09-212-300	34.86	BRAT FRY SUPPLIES
	Check Date	7/17/2008	Check Nbr	017730	Check Total:	34.86
16805 PRO-X SYSTEMS LAWN CARE	90214	31100	55	07-202-206	58.61	SPREAD FERTILIZER
	Check Date	7/17/2008	Check Nbr	017731	Check Total:	58.61
18200 REINDERS INC	1208787-00	31731	54	10-149-383	51.55	TEMP RESET RELAY
	Check Date	7/17/2008	Check Nbr	017732	Check Total:	51.55

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19327 SERVICEMASTER BUILDING MTNCE	CM10052	31100	52	08-101-201	-183.00	CREDIT MAY 2008 INVOICE 119183
	119918	31100	52	08-101-201	1,395.00	JANITORIAL SERVICES
	119848	31100	52	08-101-201	50.00	CLEAN GARAGE JULY 2008
Check Date	7/17/2008	Check Nbr	017734		Check Total:	1,262.00
19356 SHERWIN-WILLIAMS CO	6115-9	31100	51	10-115-240	43.60	BRIDGE MUSEUM PAINT
	Check Date	7/17/2008	Check Nbr	017735	Check Total:	43.60
19380 SHOPKO STORES INC	53067	31100	55	07-201-310	63.92	REC SUPPLIES
	53073	31100	55	07-203-310	55.93	REC SUPPLIES
	Check Date	7/17/2008	Check Nbr	017736	Check Total:	119.85
19410 SKID & PALLET	022189	31100	55	07-202-300	408.00	LANDSCAPE MULCH
	Check Date	7/17/2008	Check Nbr	017737	Check Total:	408.00
19457 SOUTHWEST PUBLIC SAFETY	130234	31100	52	08-101-295	282.43	LED LIGHT/SIREN/FLASHER
	Check Date	7/17/2008	Check Nbr	017738	Check Total:	282.43
19476 SPOHN RANCH	10391	31100	55	07-202-240	341.82	REPAIR SUPPLIES
	Check Date	7/17/2008	Check Nbr	017739	Check Total:	341.82
19585 SPORTS GRAPHICS	810B	31826	55	07-202-300	622.75	BASEBALL/KICKBALL TEES
	Check Date	7/17/2008	Check Nbr	017740	Check Total:	622.75
19707 THOMAS STOFFEL		31253	51	04-106-336	21.06	MILEAGE/FEMA BRIEFING
	Check Date	7/17/2008	Check Nbr	017741	Check Total:	21.06
19725 STREICHERS PROF POLICE EQUIPME	I530543	31100	52	08-101-315	297.94	LIGHT/GOGGLES/REPLACEMENT LAMP
	Check Date	7/17/2008	Check Nbr	017742	Check Total:	297.94

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19735 STUMPF CREATIVE LANDSCAPES	061708	31100	51	10-115-240	23.00	HARDWOOD MULCH
	061708	31100	55	06-101-240	229.00	HARDWOOD MULCH
Check Date	7/17/2008	Check Nbr	017743	Check Total:	252.00	
19775 SUPERIOR CHEMICAL CORP	62330	31100	13	04-106-000	472.25	FILM REMOVER
	62330	31731	54	10-149-300	94.45	FILM REMOVER
Check Date	7/17/2008	Check Nbr	017744	Check Total:	566.70	
20115 TESCH CHEMICAL CO INC	TC110793	31100	55	07-203-313	235.80	POOL SUPPLIES
	Check Date	7/17/2008	Check Nbr	017745	Check Total:	235.80
20145 THEDACARE	9864694	31100	52	08-101-215	55.20	VENIPUNCTURE
	Check Date	7/17/2008	Check Nbr	017746	Check Total:	55.20
20290 TOUGH SOLUTIONS	TSI331924	31100	51	04-109-315	3,668.00	POLICE LAPTOP FOR SQUAD
	Check Date	7/17/2008	Check Nbr	017747	Check Total:	3,668.00
21045 UNIFIRST CORPORATION	0970034130	31731	54	10-149-201	76.07	MAT/MOP/CLOTHING PROTECTION
	Check Date	7/17/2008	Check Nbr	017748	Check Total:	76.07
21060 UNITED PAPER CORPORATION	62017	31100	55	07-203-313	93.80	POOL SHOWER SOAP
	Check Date	7/17/2008	Check Nbr	017749	Check Total:	93.80
21095 UNITED WAY FOX CITIES		31100	21	04-299-021	85.75	
	Check Date	7/17/2008	Check Nbr	017750	Check Total:	85.75
21200 UR WASHINSTUFF INC	10008	31100	52	08-101-295	68.52	12 CAR WASHES APRIL 2008
	10009	31100	52	08-101-295	75.36	16 CAR WASHES MAY 2008
Check Date	7/17/2008	Check Nbr	017751	Check Total:	143.88	

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21226 US OIL CO INC	743053	31100	13	04-103-000	2.00	FEDERAL LUST TAX
	743054	31100	13	04-103-000	5.61	FEDERAL LUST TAX
	Check Date	7/17/2008	Check Nbr	017752	Check Total:	7.61
	071408	31100	52	08-101-295	217.31	UNLEADED GAS
	L34332	31731	54	10-149-242	12.00	FUEL
	Check Date	7/17/2008	Check Nbr	017753	Check Total:	229.31
21230 US PETROLEUM EQUIPMENT	166172	31731	54	10-149-243	228.66	REPLACED FMU DISPLAY
	Check Date	7/17/2008	Check Nbr	017754	Check Total:	228.66
21250 US SLING & SUPPLY	159570	31100	54	10-121-315	116.30	CHAIN/SHACKLE/HOOK/TAPE MEASUR
	Check Date	7/17/2008	Check Nbr	017755	Check Total:	116.30
22050 VALLEY GASKET INC	77414	31100	55	07-203-243	55.80	O-RINGS FOR BASKET COVERS/POOL
	Check Date	7/17/2008	Check Nbr	017756	Check Total:	55.80
23130 WAVERLY SANITARY DISTRICT	062608	31100	55	07-202-225	46.74	BARKER FARM PAVILION
	Check Date	7/17/2008	Check Nbr	017757	Check Total:	46.74
23135 WAYNE ENGINEERING CORP	63702	31731	54	10-149-383	107.27	AIR VALVE
	Check Date	7/17/2008	Check Nbr	017758	Check Total:	107.27
03225 WC INDUSTRIAL SUPPLY COMPANY	0001394-IN	31731	54	10-149-383	39.59	C55 BELTS
	0001421-IN	31731	54	10-149-383	18.30	V-BELT
	Check Date	7/17/2008	Check Nbr	017683	Check Total:	57.89

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23152 WE ENERGIES	062908	31100	53	09-102-224	9.96	316 RACINE ST
	070308	31100	55	07-202-223	35.32	MENASHA CONSERVANCY
	062608	31100	55	07-202-223	8.14	NORTH ST
	062608	31100	55	07-202-223	9.23	NORTH ST
Check Date	7/17/2008	Check Nbr	017759	Check Total:	62.65	
23275 WINNEBAGO COUNTY TREASURER	LF113583	31100	54	10-304-250	8,597.38	LANDFILL FACILITY
	LF113583	31100	54	10-305-216	2,937.48	LANDFILL FACILITY
	LF113583	31266	54	10-307-216	1,378.09	LANDFILL FACILITY
Check Date	7/17/2008	Check Nbr	017760	Check Total:	12,912.95	
23371 WISCONSIN DEPT OF JUSTICE-TIME	L7101T	31100	52	08-101-216	80.00	NAME SEARCHES
Check Date	7/17/2008	Check Nbr	017761	Check Total:	80.00	
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	536.31	
		31100	21	04-299-016	138.40	
		31100	21	04-299-015	711.92	
Check Date	7/17/2008	Check Nbr	017762	Check Total:	1,386.63	
23545 WORLDWIDE INFORMATION INC	INV0170229	31100	52	08-101-216	164.00	WI DRIVER LICENSES 2008 INFO
Check Date	7/17/2008	Check Nbr	017763	Check Total:	164.00	
14235 NEENAH-MENASHA YMCA	2837	31100	52	08-101-216	90.00	FITNESS ASSESSMENTS/POLICE
Check Date	7/17/2008	Check Nbr	017724	Check Total:	90.00	
26200 ZARNOTH BRUSH WORKS INC	118125	31100	54	10-123-315	527.90	BROOM REFILL/DIRT SHOES
Check Date	7/17/2008	Check Nbr	017764	Check Total:	527.90	
Grand Total:					558,102.13	



STREET USE APPLICATION

Sponsored by: FOX VALLEY AREA LABOR
Responsible Person: MARK WESTPHAL
Address: P.O. BOX 186
MENASHA, WI 54952
Phone: 920-727-1790

Street Use Date: 9-1-08
Start Time: 9:30 AM
End Time: 11:30 AM
Number of Units: 40-50

Street Route: (Attach Map)
Description of Use

PLEASE SEE ATTACHED
LETTER

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ _____ WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.

Insurance Company _____ Policy No. _____
(Attached is a copy of the insurance certificate).

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: 7-7-08 APPLICANT'S SIGNATURE: Mark Westphal

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

NOT REQUIRED: _____ APPROVED: _____ DENIED: _____

SCHEDULED COMMON COUNCIL REVIEW DATE: 7-21-08

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. MB Fire Dept. LVH Public Works Dept. MR City Attorney _____



Fox Valley Area Labor Council AFL-CIO

P.O. Box 186
Menasha, Wisconsin 54952-0186
920-727-1790 Phone
902-727-1794 Fax



July, 2008

TO: Labor Day Parade Participants

The Fox Valley Area Labor Council is preparing for its 2008 observance of Labor Day.

This will be our 26th Annual Celebration. One of the highlights of this event is the Parade through the Cities of Neenah and Menasha on Monday, September 1, 2008. Would you be interested in celebrating along with us by taking part in this year's Parade?

The Parade will begin in Menasha at Curtis Reed Square at 10:00 a.m. Please have your entry at the parking lot area of Germania Hall, 320 Chute Street, Menasha Wi., by 9:30 a.m. for line-up instructions.

The Parade will travel west down Main Street in Menasha. It will proceed to Tayco Street in Menasha and then head south, crossing both the Tayco Street and Washington Street Bridges. We will enter Neenah on Commercial Street and continue south. At Main Street in Downtown Neenah the Parade will turn right and head west to the intersection of Church Street and Main Street where the Parade will end.

Please join us in the Parade and help make our Labor Day a successful event. Enclosed is a Parade entry form. Please fill it out and return by August 25th, 2008 to:

Fox Valley Area Labor Council, P.O. Box 186, Menasha, WI 54952-0186 or
Fax back the form to us at 920-727-1794

Sincerely,

Mark Westphal, President

CHAPTER 8

Street Use Permit

SEC. 7-8-1 STREET USE PERMITS.

- (a) **PURPOSE.** The streets in possession of the City are primarily for the use of the public in the ordinary way. However, under proper circumstances, the City Clerk may grant a permit for street use, subject to reasonable municipal regulation and control. Therefore, this Section is enacted to regulate and control the use of streets pursuant to a Street Use Permit to the end that the health, safety and general welfare of the public and the good order of the City can be protected and maintained.
- (b) **APPLICATION.** A written application for a Street Use Permit by persons or groups desiring the same shall be made on a form provided by the City Clerk and shall be filed with the City Clerk. The application shall set forth the following information regarding the proposed street use:
 - (1) The name, address and telephone number of the applicant or applicants.
 - (2) If the proposed street use is to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing responsible heads of such organization.
 - (3) The name, address and telephone number of the person or persons who will be responsible for conducting the proposed use of the street.
 - (4) The date and duration of time for which the requested use of the street is proposed to occur.
 - (5) An accurate description of that portion of the street proposed to be used.
 - (6) The approximate number of persons for whom use of the proposed street area is requested.
 - (7) The proposed use, described in detail, for which the Street Use Permit is requested.
 - (8) Applications for a street use permit must be completed and filed with the City Clerk not less than thirty (30) days prior to the scheduled date of the street use.
- (c) **REPRESENTATIVE AT MEETING.** The person or representative of the group making application for a Street Use Permit shall be present when the Board of Public Works and Common Council gives consideration to the granting of said Street Use Permit to provide any additional information which is reasonably necessary to make a fair determination as to whether a permit should be granted.
- (d) **REVIEW BY CHIEF OF POLICE AND DIRECTOR OF PUBLIC WORKS.** Before any application for a Street Use Permit is considered by the Common Council, the application shall be reviewed by the Director of Public Works and Chief of Police for their recommendation as to the effect that the temporary closing of the street will have on the public safety and traffic movement in the area during the time the street may be closed.
- (e) **MANDATORY DENIAL OF STREET USE PERMIT.** An application for a Street Use Permit shall be denied if:
 - (1) The proposed street use is primarily for private or commercial gain.
 - (2) The proposed street use would violate any federal or state law or any ordinance of the City.
 - (3) The proposed street use will substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property.
 - (4) The application for a Street Use Permit does not contain the information required

- office of the Risk Manager by purchasing insurance through a TULIP program. (Tenant/Users Liability Insurance Program.) Any fees or costs shall be prepaid by such street use applicant prior to Common Council consideration of any Street Use Permit.
- (3) The City Attorney or Risk Manager shall review any Street Use Permit Application for satisfactory insurance coverage.
 - (4) Proof of insurance is not required for parades sponsored by the Menasha Public Schools or St. Mary's Central High School.
- (i) **TERMINATION OF A STREET USE PERMIT.** A Street Use Permit for an event in progress may be terminated by the Police Department if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or Ordinances of the City of Menasha. The Chief of Police has the authority to revoke a permit or terminate an event in progress if the event organizers fail to comply with any of the regulations in the street use policy or conditions stated in the permit.
 - (j) The City of Menasha may require a deposit fee to insure that appropriate clean-up or dismantling of structures is done upon the conclusion of the event. This deposit shall be in an amount established by the Common Council.
 - (k) The City of Menasha may require any Street Use applicant to pay any costs necessary for additional staffing to maintain safety of participants or the public or to satisfactorily clean up after the event.
 - (l)
 - (1) The Chief of Police and Fire Chief are allowed to authorize a use of the streets for a short duration without other compliance with this section.
 - (2) The Common Council may waive any of the requirements of this section in the event of special mitigating circumstances.
 - (m) The Common Council may waive any of the requirements of sections 7 – 8 – 1 (c), 7 – 8 – 1 (d), 7 – 8 – 1 (e) or 7 – 8 – 1 (g) in the event of special mitigating circumstances. Any such motion to waive any of these requirements must state the specific mitigating circumstances.

SEC. 7-8-2 OUTDOOR RESTAURANT SERVICE.

- (a) **Intent.** the intent of this section is to establish standards for the limited use of public right-of-way for outdoor restaurant service by licensed restaurants in the downtown while maintaining right-of-way accessibility, safety historic character of the area.
- (b) **General Standards.** The Common Council may grant a permit to licensed restaurants located in the C-2 Central Business Zoning District for serving food and non-alcoholic beverages on public right-of-way or sidewalks. Such service, referred to herein as “outdoor service,” shall be in compliance with the requirements set forth in this section.
 - (1) Outdoor service shall be allowed by permit only.
 - (2) Outdoor service shall be permitted from May 1 through October 31. Hours of outdoor service shall be allowed between 5:00 a.m. and 10:00 p.m. All outdoor eating facilities (including tables and chairs) shall be removed by 10:00 p.m. each day.
 - (3) All food and non-alcoholic beverages must be prepared in the regular on-site kitchen facilities as approved by the Menasha Health Department.
 - (4) The placement of tables and chairs on the public right-of-way or sidewalks for the

office of the Risk Manager by purchasing insurance through a TULIP program. (Tenant/Users Liability Insurance Program.) Any fees or costs shall be prepaid by such street use applicant prior to Common Council consideration of any Street Use Permit.

- (3) The City Attorney or Risk Manager shall review any Street Use Permit Application for satisfactory insurance coverage.
- (4) Proof of insurance is not required for parades sponsored by the Menasha Public Schools or St. Mary's Central High School.
- (i) **TERMINATION OF A STREET USE PERMIT.** A Street Use Permit for an event in progress may be terminated by the Police Department if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or Ordinances of the City of Menasha. The Chief of Police has the authority to revoke a permit or terminate an event in progress if the event organizers fail to comply with any of the regulations in the street use policy or conditions stated in the permit.
- (j) The City of Menasha may require a deposit fee to insure that appropriate clean-up or dismantling of structures is done upon the conclusion of the event. This deposit shall be in an amount established by the Common Council.
- (k) The City of Menasha may require any Street Use applicant to pay any costs necessary for additional staffing to maintain safety of participants or the public or to satisfactorily clean up after the event.
- (l)
 - (1) The Chief of Police and Fire Chief are allowed to authorize a use of the streets for a short duration without other compliance with this section.
 - (2) The Common Council may waive any of the requirements of this section in the event of special mitigating circumstances.
- (m) The Common Council may waive any of the requirements of sections 7 – 8 – 1 (c), 7 – 8 – 1 (d), 7 – 8 – 1 (e) or 7 – 8 – 1 (g) in the event of special mitigating circumstances. Any such motion to waive any of these requirements must state the specific mitigating circumstances.



July 16, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Traffic Study Report – Southfield Drive at Applewood Drive and Sweetbriar Lane

Members of the Board:

The Engineering Department did a traffic study to determine the need for traffic control signage at the intersections of Southfield Drive at Applewood Drive and Southfield Drive at Sweetbriar Lane.

Attached to this letter is a copy of the Engineering Department's Traffic Study. The Traffic Study provides information relating to traffic volume, accident history and Manual on Uniform Traffic Control Devices (MUTCD) warrants for installation of regulatory signs.

In reviewing the information and from observation at the intersections, I feel traffic control signage is warranted and it would be good engineering judgment to install yield signs on Applewood Drive at Southfield Drive and yields signs on Sweetbriar Lane at Southfield Drive.

Sincerely,

Tim J. Montour
Engineering Supervisor

Attachments

C: Street file

D:\PUBLIC WORKS PUBLIC\WORKS\Traffic Studies\Southfield Applewood Sweetbriar & Condo.dgn

Traffic Study – Southfield Drive at Applewood Drive & Sweetbriar Lane

Reason for Study

A request was made to investigate these two intersections due to safety concerns and traffic right of way.

Physical Conditions

Southfield Drive is 37' back of curb to back of curb and considered to be a collector street. The street has a bituminous concrete surface with concrete curb and gutter. There are five foot wide concrete sidewalks on both sides of the street. The road right of way width is 60' and the area is single family residential.

Applewood Drive is 33' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter to the east of the intersection and temporary bituminous concrete pavement to the west. There are no sidewalks on Applewood Drive. The road right of way width is 60' and the area is single family residential.

Sweetbriar Lane is 33' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter to the east of the intersection and a temporary bituminous concrete pavement to the west. There are no sidewalks on Sweetbriar Lane. The road right of way width is 60' and the area is single family residential.

Currently there is no traffic control at these intersections and the speed limit is 25 mph in the entire area. Parking is allowed on both sides of the street of the respective streets.

Criteria Used from MUTCD

Section 2B.05 STOP Sign Applications

Guidance:

STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:

A. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law; (Warrant satisfied – see Yield

reference and recommendations)

B. Street entering a through highway or street; (Warrant not satisfied - see collector street reference)

C. Unsignalized intersection in a signalized area; and/or (Not Applicable)

D. High speeds, restricted view, or crash records indicate a need for control by the STOP sign. (Warrant not satisfied – see Guidance below and recommendations)

Standard:

Because the potential for conflicting commands could create driver confusion, STOP signs shall not be installed at intersections where traffic control signals are installed and operating except as noted in Section 4D.01.

Portable or part-time STOP signs shall not be used except for emergency and temporary traffic control zone purposes.

Guidance:

STOP signs should not be used for speed control.

STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs (see Section 2B.08). (See recommendations)

2003 Edition Page 2B-7

Sect. 2B.05 to 2B.07

Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

Support:

The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:

A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;

B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;

C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and

D. Stopping the direction that has the best sight distance to conflicting traffic.

The use of the STOP sign at highway-railroad grade crossings is described in Section 8B.08. The use of the STOP sign at highway-light rail transit grade crossings is described in Section 10C.04.

Section 2B.08 YIELD Sign (R1-2)

Standard:

The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications

Option:

YIELD signs may be used instead of STOP signs if engineering judgment indicates that one or more of the following conditions exist:

A. When the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed, the 85th-percentile speed, or the statutory speed to pass through the intersection or to stop in a reasonably safe manner. (See recommendations)

B. If controlling a merge-type movement on the entering roadway where acceleration geometry and/or sight distance is not adequate for merging traffic operation. (Not applicable)

C. The second crossroad of a divided highway, where the median width at the intersection is 9 m (30 ft) or greater. In this case, a STOP sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway. (Not applicable)

D. An intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign. (Warrant satisfied - see recommendations)

Standard:

A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout intersection.

Traffic Count

Southfield Drive (between Applewood Dr. and Sweetbriar Dr.) - 24 hour traffic count was taken on June 3-4, 2008 with a total of 935 vehicles

Applewood Drive (east of Southfield Drive) - 24 hour traffic count was taken on June 4-5, 2008 with a total of 330 vehicles

Sweetbriar Lane (east of Southfield Drive) - 24 hour traffic count was taken on June 5-6, 2008 with a total of 250 vehicles

Accident History

There have been four (4) accidents (see attached) on this section of Southfield Drive that includes the two intersections since 1997.

Observations

While gathering information in the field at the intersection locations and placing the loop counter in the roadway, a number of observations were made;

- Southfield Drive in this area is one long sweeping curve with limited sight distance within the vision triangle at both intersections.
- With Southfield Drive designated as the collector, the majority of the traffic yields to traffic on Southfield Drive, no matter who arrives at the intersection first.
- Vehicles along this section of Southfield Drive appear to regularly exceed the speed limit.

Recommendations

As the Traffic Study points out, Guidance/Warrants for a Stop or Yield Sign Application from the MUTCD have been satisfied at this intersection. Accident history does not warrant any traffic regulatory devices. Stop signs or any regulatory device should not be used for speed control. Restricted view should be considered due to the configuration of the street and houses. I feel because of the difference in traffic volumes and the "assumed" right of way for traffic on Southfield Drive, it would be good engineering judgment to recommend Yield signs be placed on Applewood Drive at Southfield Drive and Sweetbriar Lane at Southfield Drive.

ACCIDENT SUMMARY SHEET

ROUTE: Sweetbriar Ln.

LOCATION: at Southfield Dr.

MUNICIPALITY: Menasha

COUNTY: Calumet

TIME PERIOD COVERED: -

REFERENCE MARKERS / NODES: -

REMARKS: All Accidents

DATE: 6/3/2008

TIME OF DAY	# ACC	%	DIRECTION	# ACC	%	DIRECTION	# ACC	%
6 AM - 10 AM	0	0.0%	North	1	25.0%	Northeast	0	0.0%
10 AM - 4 PM	2	100.0%	South	1	25.0%	Northwest	0	0.0%
4 PM - 7 PM	0	0.0%	East	0	0.0%	Southeast	0	0.0%
7 PM - 12 AM	0	0.0%	West	1	25.0%	Southwest	0	0.0%
12 AM - 6 AM	0	0.0%	Total	4		Unspecified	1	25.0%
Unspecified	0	0.0%						
Total	2		ACCIDENT TYPE	# ACC	%	ACCIDENT TYPE	# ACC	%
WEATHER	# ACC	%	Rear End	0	0.0%	Pedestrian	0	0.0%
Clear	1	50.0%	Overtake	0	0.0%	Bicycle	1	50.0%
Cloudy	1	50.0%	Right Angle	0	0.0%	Parked Vehicle	0	0.0%
Rain	0	0.0%	Left Turn	0	0.0%	Backing	0	0.0%
Snow	0	0.0%	Right Turn	0	0.0%	Run Off The Road	0	0.0%
Sleet/Hail/Freezing Rain	0	0.0%	Fixed Object	1	50.0%	Animal	0	0.0%
Fog/Smog/Smoke	0	0.0%	Head On	0	0.0%	Other	0	0.0%
Unspecified	0	0.0%	Sideswipe	0	0.0%	Unspecified	0	0.0%
Total	2		Total			2		
SURFACE			ACCIDENT SEVERITY					
	# ACC	%		# ACC	%			
Dry	2	100.0%	Fatal	0	0.0%			
Wet	0	0.0%	Injury	1	50.0%			
Mud/Slush	0	0.0%	Property Damage	1	50.0%			
Snow/Ice	0	0.0%	Non-Reportable	0	0.0%			
Unspecified	0	0.0%	Total	2				
Total	2							
TIME OF YEAR			TYPE OF VEHICLE					
	# ACC	%		# ACC	%			
Winter (Dec-Feb)	0	0.0%	Passenger Cars	2	100.0%			
Spring (Mar-May)	2	100.0%	Commercial Vehicles	0	0.0%			
Summer (Jun-Aug)	0	0.0%	Total	2				
Fall (Sep-Nov)	0	0.0%						
Total	2							
DAY OF WEEK			LIGHT CONDITION					
	# ACC	%		# ACC	%			
Sunday	0	0.0%	Daylight	1	50.0%			
Monday	1	50.0%	Dawn/Dusk	0	0.0%			
Tuesday	0	0.0%	Night	0	0.0%			
Wednesday	0	0.0%	Unspecified	1	50.0%			
Thursday	0	0.0%	Total	2				
Friday	0	0.0%						
Saturday	1	50.0%						
Total	2							

SUMMARY OF ACCIDENT SEVERITY BY YEAR:

	0
Fatal Accidents	0
Injury Accidents	0
Property Damage Accidents	0
Non-Reportable Accidents	0
Total Accidents	0

DETAILS OF ACCIDENT HISTORY





















<div>PERIOD STUDIED: FROM: TO: 0 MONTHS</div>		# VEHICLES	SEVERITY	LIGHT CONDITION	ROAD CHARACTER	SURFACE	WEATHER	ROUTE NUMBER/STREET NAME: Sweetbriar Ln. LOCATION at Southfield Dr. MUNICIPALITY: Menasha REFERENCE MARKERS / NODES:		COUNTY: Calumet	CASE No. FILE: sweetbriar_sthfd BY: cr DATE: 6/3/2008	
No.	DATE	TIME						CONTRIB. FACTORS	ACC. TYPE	ACCIDENT DESCRIPTION		KEY #
1	5/12/1997	11:15		PDO			1	2		FIXO		
2	5/12/2007	13:31	2	INJ	1	4	1	1	4	Bike	unit2-wb(bicycle) struck unit1-sb	

COLLISION DIAGRAM

Key Number =

MUNICIPALITY: <u>Menasha</u>	COUNTY: <u>Calumet</u>	FILE: <u>sweetbriar_sthfd</u>
INTERSECTION: <u>Sweetbriar Ln.</u>		CASE #: _____
PERIOD: <u>0</u> YEARS <u>0</u> MONTHS	FROM _____ TO _____	BY: <u>cr</u> DATE: <u>6/3/2008</u>



SYMBOLS		MANNER OF COLLISION	
 MOVING VEHICLE	 PEDESTRIAN	 REAR END	 HEAD ON
 TURNING VEHICLE	 BICYCLIST	 LEFT TURN	 RIGHT TURN
 BACKING VEHICLE	 ANIMAL	 LEFT TURN	 RIGHT TURN
 PARKED VEHICLE	 FIXED OBJECT	 OVERTAKE	 RIGHT ANGLE
 RECORD NUMBER	 Fatal	 OUT OF CONTROL	 SIDE SWIPE

ACCIDENT SUMMARY SHEET

ROUTE: *Southfield Dr.*

LOCATION: *block I*

MUNICIPALITY: *Menasha*

COUNTY: *Calumet*

TIME PERIOD COVERED: -

REFERENCE MARKERS / NODES: *Sweetbriar* - *Applewood*

REMARKS: *All Accidents*

DATE: *6/3/2008*

TIME OF DAY	# ACC	%	DIRECTION	# ACC	%	DIRECTION	# ACC	%
6 AM - 10 AM	2	100.0%	North	0	0.0%	Northeast	0	0.0%
10 AM - 4 PM	0	0.0%	South	2	66.7%	Northwest	1	33.3%
4 PM - 7 PM	0	0.0%	East	0	0.0%	Southeast	0	0.0%
7 PM - 12 AM	0	0.0%	West	0	0.0%	Southwest	0	0.0%
12 AM - 6 AM	0	0.0%	Total	3		Unspecified	0	0.0%
Unspecified	0	0.0%						
Total	2		ACCIDENT TYPE	# ACC	%	ACCIDENT TYPE	# ACC	%
WEATHER	# ACC	%	Rear End	1	50.0%	Pedestrian	0	0.0%
Clear	0	0.0%	Overtake	0	0.0%	Bicycle	0	0.0%
Cloudy	1	50.0%	Right Angle	0	0.0%	Parked Vehicle	0	0.0%
Rain	0	0.0%	Left Turn	0	0.0%	Backing	0	0.0%
Snow	1	50.0%	Right Turn	0	0.0%	Run Off The Road	0	0.0%
Sleet/Hail/Freezing Rain	0	0.0%	Fixed Object	1	50.0%	Animal	0	0.0%
Fog/Smog/Smoke	0	0.0%	Head On	0	0.0%	Other	0	0.0%
Unspecified	0	0.0%	Sideswipe	0	0.0%	Unspecified	0	0.0%
Total	2		Total	2				

SURFACE			ACCIDENT SEVERITY		
# ACC	%		# ACC	%	
Dry	0	0.0%	Fatal	0	0.0%
Wet	0	0.0%	Injury	1	50.0%
Mud/Slush	0	0.0%	Property Damage	1	50.0%
Snow/Ice	2	100.0%	Non-Reportable	0	0.0%
Unspecified	0	0.0%	Total	2	
Total	2				

TIME OF YEAR			TYPE OF VEHICLE		
# ACC	%		# ACC	%	
Winter (Dec-Feb)	1	50.0%	Passenger Cars	1	100.0%
Spring (Mar-May)	1	50.0%	Commercial Vehicles	0	0.0%
Summer (Jun-Aug)	0	0.0%	Total	1	
Fall (Sep-Nov)	0	0.0%			
Total	2				

DAY OF WEEK			LIGHT CONDITION		
# ACC	%		# ACC	%	
Sunday	0	0.0%	Daylight	1	50.0%
Monday	0	0.0%	Dawn/Dusk	0	0.0%
Tuesday	1	50.0%	Night	0	0.0%
Wednesday	1	50.0%	Unspecified	1	50.0%
Thursday	0	0.0%	Total	2	
Friday	0	0.0%			
Saturday	0	0.0%			
Total	2				

SUMMARY OF ACCIDENT SEVERITY BY YEAR:

	0
Fatal Accidents	0
Injury Accidents	0
Property Damage Accidents	0
Non-Reportable Accidents	0
Total Accidents	0

DETAILS OF ACCIDENT HISTORY

<div>PERIOD STUDIED: FROM: TO: 0 MONTHS</div>		# VEHICLES	SEVERITY	LIGHT CONDITION	ROAD CHARACTER	SURFACE	WEATHER	ROUTE NUMBER/STREET NAME: Southfield Dr. LOCATION block I MUNICIPALITY: Menasha REFERENCE MARKERS / NODES: Sweetbriar - Applewood		COUNTY: Calumet		CASE No. FILE: southfield_bll BY: cr DATE: 6/3/2008
No.	DATE	TIME	CONTRIB. FACTORS					ACC. TYPE	ACCIDENT DESCRIPTION		KEY #	
1	2/25/1997	8:39	INJ				4	2		REN		
2	3/17/2004	7:49	PDO	1	1	1	4	4	19	66	unit 1 lost control on snowy road, veered left into a mailbox	

COLLISION DIAGRAM

Key Number =

MUNICIPALITY: <u>Menasha</u>	COUNTY: <u>Calumet</u>	FILE: <u>southfield_bll</u>
INTERSECTION: <u>Southfield Dr.</u>		CASE #: _____
PERIOD: <u>0</u> YEARS <u>0</u> MONTHS	FROM _____ TO _____	BY: <u>cr</u> DATE: <u>6/3/2008</u>





















Northbound 

Southfield Dr.

1 

Southfield Dr.

2

SYMBOLS		MANNER OF COLLISION	
	MOVING VEHICLE		REAR END
	TURNING VEHICLE		LEFT TURN
	BACKING VEHICLE		LEFT TURN
	PARKED VEHICLE		OVERTAKE
	RECORD NUMBER		OUT OF CONTROL
	PEDESTRIAN		HEAD ON
	BICYCLIST		RIGHT TURN
	ANIMAL		RIGHT TURN
	FIXED OBJECT		RIGHT ANGLE
	Fatal		SIDE SWIPE



Memorandum

DATE: July 17, 2008

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Consideration of Options for Surplus Commodity Revenue through Tri-County Regional Recycling Program

Enclosed is a memo from Winnebago County requesting our consideration of the annual commodity revenue surplus ballot which determines whether surplus revenues are retained by the County as a tipping fee stabilization fund or are rebated to the member communities.

Due to the recent favorable commodity markets and the success of the tri-county regional recycling program, the tipping fee has been reduced these past years while still accumulating a surplus. The County has not needed to access the stabilization fund to control the tipping fee.

If the City were to have its share of the surplus rebated to us, we would be required to report this as revenue on our annual WisDNR recycling report, which has the effect of reducing our net eligible costs. Because the City of Menasha's net eligible costs for the DNR recycling grant program considerably exceed our current grant award, the rebated surplus would not result in any loss of grant dollars. Therefore, it is my recommendation the City cast its ballot for Winnebago County to refund the recycling revenue surplus of \$766,278 to the signing municipalities based upon each municipality's actual tonnage processed and sold for years 1997-2004 and 2007. Menasha's share is estimated at \$48,000.

Winnebago County recycling revenue surplus 7-17-08 for

LANDFILL / ADMINISTRATION
(920) 232-1800
FOX CITIES
(920) 727-2884
FAX
(920) 424-1189



Winnebago County

Solid Waste
Management Board
The Wave of the Future

RECYCLING FACILITY
(920) 232-1850
FOX CITIES
(920) 727-2896
FAX
(920) 424-4955

100 W. COUNTY RD. Y
OSHKOSH, WI 54901

LANDFILL GAS FACILITY
(920) 232-1810
LANDFILL GAS FAX
(920) 424-7761

MEMORANDUM

Date: June 24, 2008
To: Contracted Responsible Units (RUs)
From: Jennifer Semrau, Recycling Specialist
Re: Ballots

Enclosed you will find three ballots for your consideration.

The first is the annual commodity revenue surplus ballot. Previous year's ballots and several back-to-back profitable years have resulted in the accumulated surplus commodity revenue of \$766,278. Winnebago County is aware that many communities are seriously considering the implementation of single stream recycling collection once Winnebago County can offer this processing option. Although manual single stream is possible, many communities around the state who have switched to single stream recycling have automated their recycling collection using carts. Partially funding carts is one option municipalities may consider if voting to have the surplus commodity revenue rebated.

With the success of the tri-county regional recycling program and positive commodity markets, Winnebago County has been able to reduce the recycling tip fee in each of the past four years, while accumulating a surplus. Winnebago County has not needed to utilize the rate stabilization fund set aside by communities. However the second option for consideration on the ballot is to maintain and increase the recycling tip fee stabilization fund.

The second ballot solicits interest from communities in a consolidated procurement of carts for single stream recycling, and the third ballot solicits interest from communities in a potential Solid Waste Management Board ban of computers/electronics from the Winnebago County Landfill.

Please consider the options carefully and return your ballots by **August 15, 2008**. Please feel free to contact me at (920) 232-1850 with any questions or concerns.

Thank you!

**WINNEBAGO COUNTY
SIGNING MUNICIPALITY RECYCLING SURPLUS REVENUE BALLOT
JUNE 24, 2008**

**ARTICLE IX
FURTHER AMENDMENTS**

The County and the Signing Municipalities agree that this initial Agreement may be further amended and/or supplemented by written agreement of both the County and Signing Municipalities representing 70% of the total population of Signing Municipalities.

**ARTICLE VI
FUNDING**

- B. The County shall have the right to collect any and all revenues from the sale of recycled materials processed by the County under this Agreement.
1. From the time of the County MRF's opening until December 31, 1994, said revenues from Signing Municipalities shall be applied to the cost of construction, purchase and operation for all structures, equipment and personnel required by the County to perform its obligations under the Agreement. In the event that revenues from Signing Municipality processing fees and material sales exceed the cost of program operation, the net profit shall be rebated after year's end to Municipalities signing this Agreement. Rebates shall be based upon each Municipality's actual tonnage processed during that calendar year.
 2. After January 1, 1995 the processing fee per ton shall be set to reflect the anticipated cost of services provided. The County shall continue to hold remaining revenue rebates (remaining after payment of Signing Municipality debt) from Signing Municipality material sold during the years 1997-2004 and 2007 in the amount of seven hundred sixty-six thousand, two hundred and seven-eight dollars (\$766,278.00) for future recycling tipping fee stabilization.

Please check the appropriate box for your municipality's choice, sign and indicate individual title, date and return this ballot on or before August 15, 2008 (include a copy of your city, town or village resolution or a copy of the municipal board meeting minutes authorizing this vote).

- ☐ Winnebago County shall hold the recycling revenue surplus of \$766,278.00 in a fund for future recycling tipping fee stabilization based upon each Municipality's actual tonnage processed and sold for years 1997-2004 and 2007.
- ☐ Winnebago County shall refund the recycling revenue surplus of \$766,278.00 to Signing Municipalities based upon each Municipality's actual tonnage processed and sold for years 1997-2004 and 2007.

Signature

Print Name

Municipality

Title

Date Signed



Memorandum

DATE: July 17, 2008

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Solicitation of Interest in a Consolidated Procurement of Carts for Single Stream Recycling by the Winnebago County Solid Waste Management Board

Enclosed is a memo from Winnebago County requesting our interest level in participating in a large volume procurement of carts for the anticipated start of single stream recycling in Winnebago County during 2009. Single stream recycling allows the placement of both paper and container recyclables in one recycling container, facilitating the recycling process for residents and resulting in higher recycling rates.

Winnebago County will be altering its recycling processing facility to accommodate single stream recycling next year. Communities are not required to change to single stream recycling, and those that do, may or may not use automation to collect the recyclables.

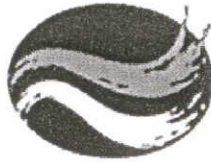
The City of Menasha has not yet done a full evaluation of the benefits of operating a fully automated single stream recycling collection process. The carts would be similar to the carts used for automated refuse collection and would be offered in 35, 65 and 95 gallon sizes.

At this time, I recommend indicating to the County we are not able to commit to the purchase of any carts, but we are interested in pursuing this in the future after we have had time to assess the budget impact of cart and equipment purchases.

Attachment: 071708 - 2009 Consolidated procurement 7-17-08.doc

LANDFILL/ADMINISTRATION
(920) 232-1800
FOX CITIES
(920) 727-2884
FAX (920) 424-1189

100 W.COUNTY RD. Y
OSHKOSH, WI 54901



Winnebago County

Solid Waste
Management Board

The Wave of the Future

TRANSFER STATION
(920) 232-1850
FOX CITIES
(920) 727-2896
FAX (920) 424-4955

LANDFILL GAS FACILITY
(920) 232-1810
LANDFILL GAS FAX
(920) 424-7761

Solicitation of Interest in a Consolidated Procurement of Carts for Single Stream Recycling by the Winnebago County Solid Waste Management Board

At the Annual Financial and Informational meeting on April 17, 2008, Winnebago County discussed the potential idea of making a large volume procurement of carts on behalf of our communities, to hopefully reduce the cost per cart for all those that are interested. The purpose of this 'ballot' is to determine which communities are interested in this cart procurement, the number of carts desired (size selection [between 35, 65 and 95 gallon] to occur at a later date) and the date by which carts are needed.

Please check the appropriate boxes below and return to Jennifer Semrau, Winnebago County Recycling, 105 W County Road Y, Oshkosh, WI 54901 by **August 15, 2008**.

Is your community interested in Winnebago County serving as a 'broker' for carts for your community (actual costs of the carts will be paid by the community/residents)?

☐

YES

☐

NO

How many carts would you like to order? _____

By what date would you need the carts delivered? (Anticipate this order would take place in 2009.)

_____, 2009

Signature

Print Name

Date Signed

Title

Municipality



Memorandum

DATE: July 17, 2008

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Solicitation of Interest in a Potential Solid Waste Management Board Ban of Computers/Electronics at the Winnebago County Landfill

Attached is a memo from Winnebago County requesting an indication of our support for a considered ban of computers/electronics by the Winnebago County Solid Waste Management Board. Also enclosed is a draft resolution citing additional information and statistics regarding computer/electronic recycling.

With the upcoming federal mandate that all television signals be of digital format, there is the expectation of a slug of television sets being disposed at landfills. The County wants to consider a ban that would be effective before that expected time and is seeking the level of community support for such.

Also attached are copies of current fees for disposal of computer components and other electronics at Paper Valley Recycling located on Earl Street in Menasha and also at Winnebago County Recycling facility in Oshkosh. The ballots are due back to the County by August 15, 2008.

Winnebago County is requesting a ban on computer-electronics at the TAT-06 site.

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Winnebago County

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LANDFILL GAS FAX
(920) 424-7761

Solicitation of Interest in a Potential Solid Waste Management Board Ban of Computers/Electronics at the Winnebago County Landfill

At the Annual Financial and Informational meeting on April 17, 2008, Winnebago County discussed the potential idea of implementing a ban on computers/electronics at the Winnebago County Landfill. As described in detail at the meeting, the Solid Waste Management Board (SWMB) is considering a potential ban for a number of reasons:

1. Upcoming federal mandate (February 17, 2009) that all television signals be switched from analog to digital format. Consumers will need a digital television, digital cable/satellite or a converter box, and the Landfill will likely see a glut of television disposal.
2. This past March, the Wisconsin Legislature failed to pass Senate Bill 397 which proposed a statewide system for the management and recycling of computers and electronics. Based on similar legislation in Minnesota, the law would have placed responsibility for recycling on manufacturers, in partnership with others, and banned certain electronics from landfills.
3. Computers/electronics contain many toxic or hazardous components including lead, mercury, cadmium, chromium, other heavy metals and chemical flame retardants that pose a potential risk to the environment and human health when landfilled or incinerated. According to a US Environmental Protection Agency (EPA) report from 2002, up to 70% of heavy metal (lead, mercury, cadmium, etc.) contamination in US landfills comes from electronic products that are disposed of incorrectly.
4. The SWMB recognizes that recycling/reuse is the best waste management choice. Unlike businesses or institutions, who by state law are prohibited from disposing of computers and other electronic equipment that contain hazardous materials in municipal solid waste landfills or incinerators, households are not legally required to recycle computers/electronics. However, according to the WI Department of Natural Resources, "Whenever possible individuals, businesses and institutions should recycle electronics."

The purpose of this 'ballot' is to determine which communities are supportive of a potential Winnebago County landfill ban on computers/electronics. Should a landfill ban be enacted, residents would be directed to recycling and/or reuse options. Winnebago

County will continue to offer its on-going computer/electronic recycling program as one of the recycling/reuse options.

As you might recall from our Annual Meeting, one community expressed significant interest in this topic and requested a draft resolution from Winnebago County to bring before their Board. Winnebago County produced this draft resolution, and it is enclosed as it provides additional information and statistics on computer/electronic generation and recycling. Again, the SWMB has not acted on this yet and may or may not pursue a ban on computers/electronics. At this point, the SWMB is attempting to solicit input from its communities and other sources to aid in the decision making process.

Please check the appropriate box below and return to Jennifer Semrau, Winnebago County Recycling, 105 W County Road Y, Oshkosh, WI 54901 by **August 15, 2008**.

Is your community supportive of the Winnebago County SWMB banning computers/electronics from its landfill?

☐

YES

☐

NO

Will your community enforce a landfill ban by not knowingly collecting banned computers/electronics with its municipal curbside collection or by requiring its third party contractor/hauler to not knowingly collect banned computers/electronics from its curbside waste collection?

☐

YES

☐

NO

Signature

Print Name

Date Signed

Title

Municipality

Resolution in Support of a Landfill Ban on Computers and Electronics

WHEREAS, discarded computers and consumer electronics compose one of the fastest growing waste streams in the United States, with an estimated 250 to 350 million obsolete computers, monitors, televisions, cell phones and computer peripherals in 2005; and

WHEREAS, the United States Environmental Protection Agency estimates that only about 11% (by weight) of these electronic products were recycled; and

WHEREAS, a 2006 Department of Natural Resources household recycling survey found that Wisconsin households own approximately 3.8 million computers, 7.5 million televisions and 3.5 million cell phones; and

WHEREAS, discarded computers and other consumer electronics contain lead, cadmium, mercury, hexavalent chromium, polyvinyl chloride, brominated flame retardants and other toxic materials that pose hazards to human health and the environment when landfilled or incinerated; and

WHEREAS, Senate Bill 397 proposed a statewide system for the management and recycling of computers and electronics, including a ban on certain electronics from the landfill, but failed to pass during the 2008 legislative session; and

WHEREAS, under current law, computers and electronics from households are not banned from landfill disposal in Wisconsin; and

WHEREAS, the States of California, Minnesota and Maine, and the Commonwealth of Massachusetts, because of the toxicity of this waste, have prohibited the disposal of discarded cathode ray tubes (CRT's), such as those found in televisions and computer monitors, in municipal landfills or incinerators; and,

WHEREAS, on February 17, 2009 the federal government has mandated that all television signals be switched from analog to digital format, and it is anticipated many consumers will dispose of analog televisions as a result; and

WHEREAS, the Winnebago County Landfill in Oshkosh, Wisconsin is presently receiving waste from Brown, Outagamie, Columbia, Waupaca, Winnebago and other Counties, and therefore likely receiving discarded consumer electronics from over 10% of the population of the State of Wisconsin;

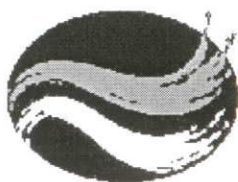
BE IT RESOLVED, that the (Council)(Board) of _____ supports a ban on computers and electronics from the Winnebago County Landfill; and

BE IT FURTHER RESOLVED, that the (Council)(Board) of _____ will enforce the landfill ban by not knowingly collecting banned computers and electronics with its municipal curbside waste collection or by requiring its third party contractor/hauler to not knowingly collect banned computers and electronics with curbside waste collection.

ON BEHALF OF THE (COUNCIL)(BOARD) OF _____

Signature: _____

Date: _____



Winnebago County, Wisconsin

[Home](#)

[Departments](#)

[Site Map](#)

[Search](#)

Solid Waste Management Links

- [Solid Waste Home](#)
- [Container Rental Program](#)
- [Fee Schedule - Landfill](#)
- [Household Hazardous Materials Facility](#)
- [Landfill Facility Hours & Holidays](#)
- [Landfill Gas Facility](#)
- [Recycling](#)
- [Unwanted/Expired Medications](#)
- [Computer/Electronic Recycling](#)

Computer/Electronic Recycling

Do you have an old computer, printer, TV or other electronic item?

Winnebago County now offers a RECYCLING option every day!

Fees: \$10 for a TV or monitor

\$5 for a laptop, CPU, printer, VCR

\$0 for keyboards, mice, speakers, cords, cell phones

Limit 4 computers/TVs per person.

Businesses are required BY LAW to recycle computers. For households, it's a choice. Choose to recycle and prevent hazardous materials like lead, mercury and other heavy metals from your electronics from entering your landfill!

According to WI Public Radio, waste electronics contribute 2/3 of the heavy metals and 40% of the lead found in landfills. Jan.'07.

For more information, call 920-232-1850.

[Site Map](#) | [Search](#) | [Disclaimer](#)

ATTENTION!**CHARGES TO RECYCLE***at*

WMRA/PAPER VALLEY RECYCLING
1420 EARL STREET
MENASHA WI 54952

ITEM	DOLLAR AMOUNT
-------------	----------------------

Computer Tower/CPU	\$ 5.00
Printer	\$ 5.00
Monitor	\$10.00
Full Desktop Computer System	\$15.00
Standard Size TV (less than 27")	\$15.00
Large Size TV (more than 27")	\$25.00

Cell Phones/Keyboards/Mice NO CHARGE

E-SCRAP (Metal) .35/lb

**ALUMINUM CANS PER POUND:
CURRENTLY .40/lb**

LANDFILL/ADMINISTRATION

(920) 232-1800

FOX CITIES

(920) 727-2884

FAX (920) 424-1189

100 W. COUNTY RD. Y

OSHKOSH, WI 54901



Winnebago County

**Solid Waste
Management Board**

The Wave of the Future

RECYCLING FACILITY

(920) 232-1850

FOX CITIES

(920) 727-2896

FAX (920) 424-4955

LANDFILL GAS FACILITY

(920) 232-1810

LANDFILL GAS FAX

(920) 424-7761

SUNNYVIEW LANDFILL – YEAR 2008 STANDARD TIPPING FEE RATE SCHEDULE
ALL LOADS MUST BE SECURED WITH A TARP TO ENTER LANDFILL & TRANSFER STATION

Hours: Mon. through Fri. 7 A.M. to 3 P.M. & Sat. 7 A.M. to 12 Noon

GENERAL WASTES

\$10.00

\$24.30/Ton

\$5.00/Load

\$10.00/Ton

\$10.00/Ton

Minimum Charge – All Weighed Vehicles

General Refuse – All trucks & cars with trailers are charged by weight.

Cars – Automobiles licensed as passenger vehicles.

Yard Waste & Brush – Leaves, Grass Clippings, Garden debris and Brush less than 6" diameter. Place in compost area. Contaminated loads will be assessed an additional \$50.00 per ton.

Clean Wood – Must be free from steel (nails in wood are accepted), concrete, roofing, paper, plastic, And any other trash. Place in compost area. Contaminated loads will be assessed an additional \$50.00 per ton.

RECYCLABLE WASTES

\$13.00 Each

\$3.00/Each

\$5.00/Each

\$7.00/Each

\$150.00/Ton

\$1.00each

No Charge

No Charge

\$1.00/ per Gal

\$5.00/Each

No Charge

Appliances – Stoves, refrigerators, furnaces, water heaters, dehumidifiers, microwaves, etc.

Car Tires – 16" or less More than **5 tires** are charged by weight

Truck Tires – Larger than 16". More than **5 tires** are charged by weight

Tractor Tires – More than **5 tires** are charged by weight

Loads of Tires – More than five tires are charged by weight. **Out of County tires not accepted**

Batteries – All lead acid batteries. Must be placed in battery collection bin only.

Waste Oil – No Anti Freeze, water or other contaminants. User empties containers into Landfill Collection Tank.

Waste Oil Filters – No charge for first 4 filters. \$.50/each thereafter.

Anti Freeze – No oil or other contaminates. User empties into Landfill container.

Propane Tanks

Cars or pickup trucks with recyclables.

Fees for Commercial Recyclable Paper and Containers may change monthly.

SPECIAL WASTES

\$300.00/Ton

\$200.00 minimum

\$24.30/Ton

Asbestos Materials - Prior approval and 24-Hour Prior notice is required for all types, proper containment will be required for Category I friable, Category II friable and non-friable. Category I, non-friable asbestos only (packings; gaskets; Resilient floor coverings; asphalt Roofing products) **Accepted Monday through Friday only**

SPECIAL PERMIT

Special Industrial Wastes or Contaminated Soils (Ask for Special Waste Schedule).

STANDARD FEE RATE SCHEDULE DOES NOT APPLY TO NEGOTIATED CONTRACTS.

CREDIT TRANSACTIONS FOR PRE-AUTHORIZED ACCOUNTS ONLY

NO TIPPING FEE WAIVER FOR DISPOSAL OF ANY MATERIAL AT WINNEBAGO COUNTY LANDFILL

Policy established by Winnebago County Solid Waste Management Board on June 29, 1989

- (2) Any person, partnership or corporation dumping yard waste, rubbish or garbage at any place other than an authorized drop-off site, shall be subject to the penalty provisions of this ordinance.
 - (3) Any person, firm or corporation mixing household refuse with yard waste or other defined recyclables, or any person permitting same to be done, shall be subject to the penalties of this ordinance.
- (n) **TIRES.** All tires shall be separated from other refuse and placed or disposed of in such locations and under such conditions as may be established from time to time by the Board of Public Works. There will be no curb side collection of tires.
- (1) Hours of disposal at authorized sites shall be Saturdays during the designated yard waste season from 8:00 a.m. to 1:00 p.m., when said Saturday is not a legal holiday, or other hours as may be designated by the Board of Public Works from time to time based on need. Any person depositing tires at a designated site outside these hours will be subject to prosecution under the Menasha Municipal Code. In addition, any person, firm or corporation depositing tires anyplace within the corporate limits of the City of Menasha other than the designated site, will be subject to prosecution under the terms of this ordinance as well as non-residents who bring in tires to the designated site.
 - (2) Tire Disposal Fees. Residents disposing of tires at the authorized site(s) are subject to the following initial fees: automobile tires and those tires smaller than the standard automobile tires, such as garden equipment tires and trailer tires, \$1.00 each; truck tires (defined as larger than 16 inches), \$3.00 each; tractor tires, \$5.00 each.
- These fees may be changed from time to time as may be determined by the Board of Public Works, but not more than once each calendar year.
- (3) Tires Prohibited. No tires used by commercial or manufacturing establishments are permitted in the designated disposal areas.
- (o) **FREON CHARGED GOODS.**
- (1) Any items placed for collection which contain freon which needs to be disposed will be collected and the owner/owners/occupant of the building from which the item was collected shall be charged a fee which will be established by the Board of Public Works to reflect the actual cost of freon disposal.
 - (2) The fee established in Section 8-3-7(o)(1) shall not be levied if the owner/owners/occupant who places the item for collection shows evidence to the Street Superintendent that freon removal has already been done by a Department of Natural Resources certified vendor.
 - (3) Method of collection of the fee established under Section 8-3-7(o)(1) shall be determined by the Board of Public Works.
- (p) **MICROWAVES.**
- (1) Any microwaves placed for collection will be collected and the owner/owners/occupant of the building from which the item was collected shall be charged a fee which will be established by the Board of Public Works to reflect the actual cost of microwave disposal.
 - (2) Method of collection of the fee established under Section 8-3-7(p)(1) shall be determined by the Board of Public Works.
- (q) **PENALTIES.**
- (1) The Department of Public Works shall tag all refuse placed in violation of the provisions of this chapter.



STREET USE APPLICATION

Sponsored by: PACESETTER'S OF THE FOX CITIES
Responsible Person: NED HUGHES - RACE DIRECTOR
Address: P.O. BOX 681
MENASHA, WI, 54952
Phone: 920-475-7116
Street Route: (Attach Map) SEE ATTACHED 5K RUN/WALK COURSE!
Description of Use: 15TH ANNUAL ST. JOE'S 5K RUN/WALK
FUNDRAISER/FOODRAISER TO BENEFIT THE
ST. JOSEPH FOOD PANTRY PROGRAM 11/1/08!
Street Use Date: 11/1/2008
Start Time: 8:45 AM
End Time: 10:00 AM
Number of Units: 400-500

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ 1,000,000.00 WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED. KR0000000172600

Insurance Company NATIONAL CASUALTY COMPANY Policy No. SEE ABOVE
(Attached is a copy of the insurance certificate).

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: July 14, 2008 APPLICANT'S SIGNATURE: Ned Hughes

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

NOT REQUIRED: _____ APPROVED: _____ DENIED: _____

SCHEDULED COMMON COUNCIL REVIEW DATE: 7-21-08

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. MB Fire Dept. LW Public Works Dept. MR City Attorney _____

ST. JOE'S 5K RUN/WALK COURSE MAP

Runners/Walkers Important Information Regarding The Friendship Trestle Trail Segment of The 5K (3.1 Miles) Run/Walk Course:

1. As the 5K course is laid out as an out and back... orange cones will be placed down the middle (in the center) of the trail segment of the course!
2. On the trail... runners and walkers stay to your right (except to pass)
3. On the trail... runners and walkers pass only on your left!
4. On the trail... runners... as you approach walkers or other runners from behind to pass... please call out... "Runner"... passing on your left!
5. On the trail... walkers... please no more than two walkers walking abreast (side by side) at all times!

Other Important 5K Run/Walk Information:

1. Traffic Control... the City of Menasha Police will be directing traffic at three intersections on the street part of the course: Intersection #1 Main Street/Milwaukee Street Intersection #2 Broad Street/Milwaukee Street Intersection #3 Broad Street/Tayco Street
2. Course Marshalls will be stationed at every street intersection on the course and at strategic locations on The Friendship Trestle Trail
3. Tail mile marker cones (with a large mile marker number printed on each) will be positioned at mile markers 1, 2, and 3! MM means mile marker.

LITTLE LAKE
BUTTE DES MORTS

FRIENDSHIP (TRESTLE) TRAIL
MM2
MM1

N. LAKE ST.

LOCK ST.

LUSH ST.

FIRST ST.

MILWAUKEE ST.

BROAD ST.

GERMANIA HALL

CHUTE ST.

KAUKAUNA ST.

WATER ST.

RIVER ST.

FOX RIVER

START LINE
FINISH LINE



STREET USE APPLICATION

Sponsored by: City of Menasha Parks & Rec.
Responsible Person: Brian Tunge
Address: 146 Main St.
Menasha, WI 54952
Phone: 967-3641

Street Use Date: 8-9-07
Start Time: 8:30 a.m.
End Time: 10:30 a.m.
Number of Units: _____
RACE STARTS AT 8:45 A.M.

Street Route: (Attach Map)
Description of Use

Specific barricade requirements
and police assistance request
to follow

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ _____ WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.

Insurance Company Cumic Policy No. _____
(Attached is a copy of the insurance certificate).

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: 7-7-08 APPLICANT'S SIGNATURE: Brian Tunge

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

NOT REQUIRED: ☒ APPROVED: _____ DENIED: _____

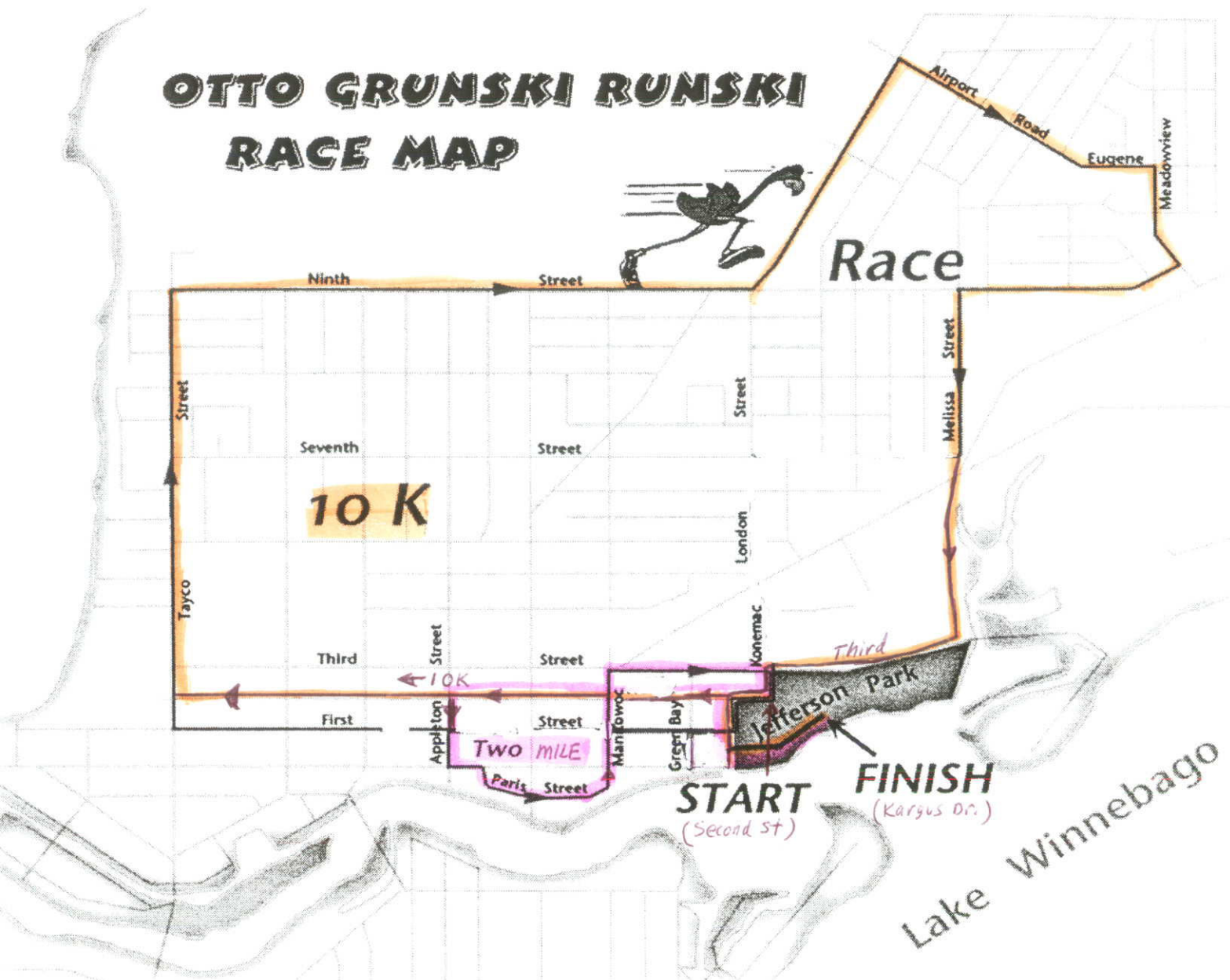
SCHEDULED COMMON COUNCIL REVIEW DATE: 7-21-08

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. _____ Fire Dept. _____ Public Works Dept. _____ City Attorney _____

GRUNSKI RACE MAP



**STREET USE APPLICATION**Sponsored by: MARKET ON MAIN
COMMUNITY FORWARD INC.Responsible Person: JAMES TAYLORAddress: 340 BROAD ST.Phone: 725-4857Street Use Date: 8-2/8-9/8-14/8-23/8-30
Start Time: 8AM
End Time: 5PM
Number of Units: 9-6
9-13
9-20Street Route: (Attach Map)
Description of UseCHUTE ST. (MAIN ST. TO U.S. BANK PARKING LOT ENT.)LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ 2,000.00 WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.Insurance Company CAPITOL INS. CO. Policy No. CPO0325131
(Attached is a copy of the insurance certificate).**NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE:** Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.DATE: 7-11-08 APPLICANT'S SIGNATURE: [Signature]

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: 7-16-08

NOT REQUIRED: _____ APPROVED: _____ DENIED: _____

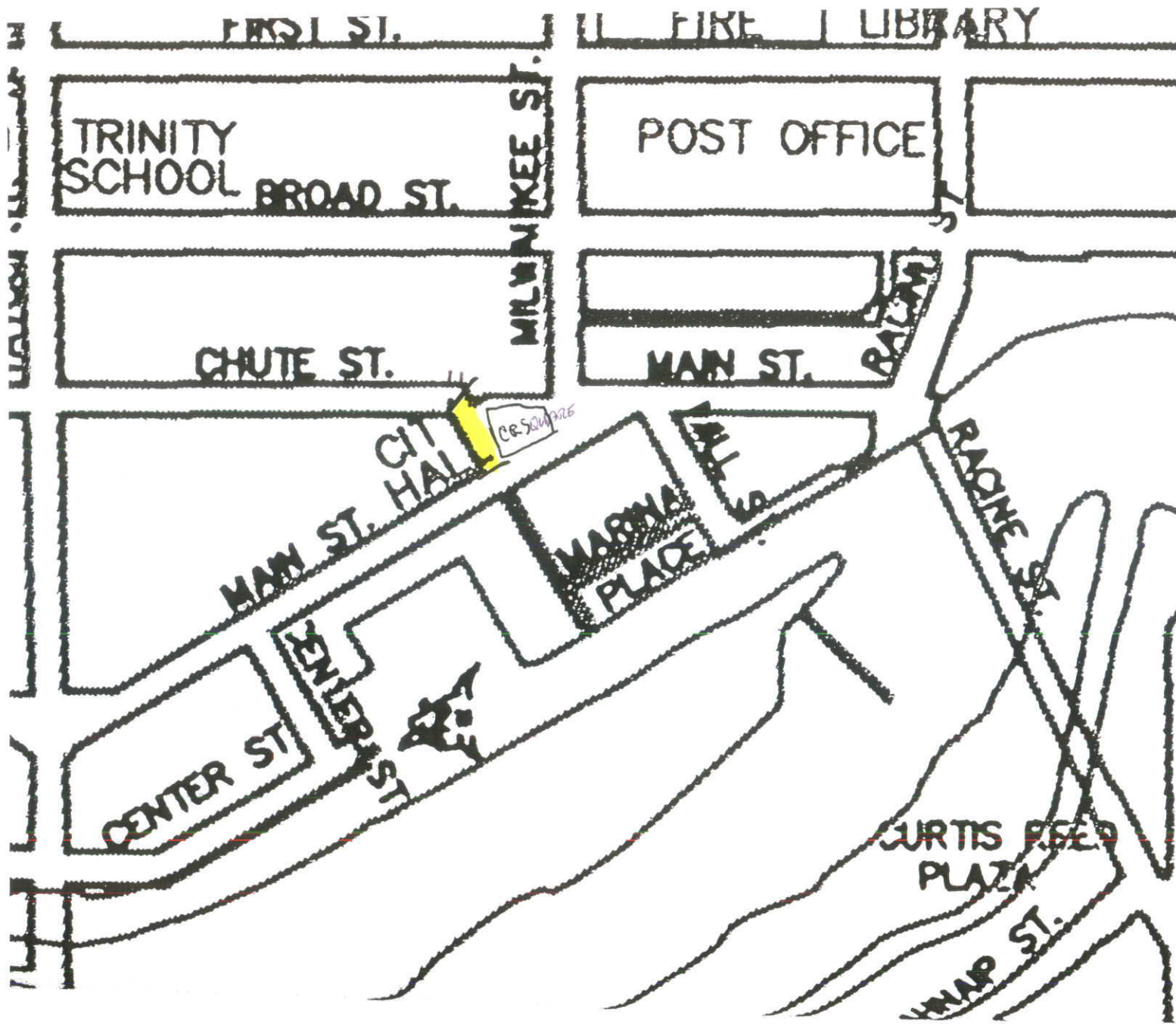
SCHEDULED COMMON COUNCIL REVIEW DATE: 7-21-08

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. [Signature]Fire Dept. [Signature]Public Works Dept. [Signature]

City Attorney _____



MONTHLY STATEMENT OF UNIT PRICE CONTRACT AMOUNT

Request for: Partial Payment No. PR-1450701A-04 Date: July 7, 2008
(Partial/Final)

Project: Wastewater Collection System Rehabilitation Improvements, Phase 3

Owner: City of Menasha

Contractor: Insituform Technologies USA, Inc. E145-05.11

Original Contract Amount as Bid:	<u>\$1,582,723.00</u>
*(ADD)(DEDUCT) by Revised Quantities:	<u>\$0.00</u>
*Amount Added by Change Order:	<u>\$0.00</u>
*Amount Deducted by Change Order:	<u>\$0.00</u>
TOTAL CONTRACT THIS DATE:	<u>\$1,582,723.00</u>
Value of Work Completed to Date:	<u>\$846,846.00</u>
Less <u>2.5</u> Per Cent Retainable: OF TOTAL CONTRACT THIS DATE	<u>(\$39,568.08)</u>
Net Total:	<u>\$807,277.92</u>

Project on Schedule: X YES NO 54 % Complete

Record of Previous Payments:

1	<u>\$186,051.80</u>	<u>4/8/08</u>	6	<u> </u>	<u> </u>	11	<u> </u>	<u> </u>
2	<u>\$171,410.40</u>	<u>6/27/08</u>	7	<u> </u>	<u> </u>	12	<u> </u>	<u> </u>
3	<u>\$252,779.80</u>	<u>6/27/08</u>	8	<u> </u>	<u> </u>	13	<u> </u>	<u> </u>
4	<u> </u>	<u> </u>	9	<u> </u>	<u> </u>	14	<u> </u>	<u> </u>
5	<u> </u>	<u> </u>	10	<u> </u>	<u> </u>	15	<u> </u>	<u> </u>

Amount Previously Paid:	<u>\$610,242.00</u>
AMOUNT DUE THIS REQUEST:	<u>\$197,035.92</u>

This is to certify that, in accordance with the terms of the Contract, the Contractor is entitled to a payment in the amount requested.

Engineer's Approval for Payment

BY:

Taryn S. Nall
Taryn S. Nall, P.E.
KAEMPFER & ASSOCIATES, INC.

Owner's Approval for Payment

BY:

Mark Radtke, P.E., Dir. of Public Works
CITY OF MENASHA

* See Unit Price Contract Spreadsheet

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<div>Unit Price Contract</div> <div>E145-07-01A Sanitary Sewer Lining</div> <div>June 25, 2008</div> <div>PROJECT: Wastewater Collection System Rehabilitation Improvements Phase 3</div> <div>OWNER: City of Menasha</div> <div>CONTRACTOR: Institutform Technologies USA, Inc.</div>												
ITEM NO.	DESCRIPTION	UNITS	UNIT PRICE	BID QTY.	BID TOTAL	PREVIOUSLY REQUESTED		CURRENT REQUEST		REVISED * QUANTITY	TOTAL	ADD (+) DEDUCT (-)
						QTY.	TOTAL	QTY.	TOTAL			
1A	21-inch sanitary sewer CIPP lining	LF	\$64.00	1,006	\$64,384.00	0	\$0.00		\$0.00	0	\$0.00	-\$64,384.00
2A	18-inch sanitary sewer CIPP lining	LF	\$44.00	7,643	\$336,292.00	2,021	\$88,924.00		\$0.00	2,021	\$88,924.00	-\$247,368.00
3A	15-inch sanitary sewer CIPP lining	LF	\$37.00	2,547	\$94,239.00	0	\$0.00		\$0.00	0	\$0.00	-\$94,239.00
4A	12-inch sanitary sewer CIPP lining	LF	\$31.00	13,417	\$415,927.00	3,586	\$111,166.00	3,335	\$103,385.00	6,921	\$214,551.00	-\$201,376.00
5A	10-inch sanitary sewer CIPP lining	LF	\$27.00	6,546	\$176,742.00	4,038	\$109,026.00	2,823	\$76,221.00	6,861	\$185,247.00	\$8,505.00
6A	8-inch sanitary sewer CIPP lining	LF	\$24.00	14,650	\$351,600.00	12,821	\$307,704.00	640	\$15,360.00	13,461	\$323,064.00	-\$28,536.00
7A	Pressure inject grouting lateral connection	EA	\$300.00	220	\$66,000.00	0	\$0.00		\$0.00	0	\$0.00	-\$66,000.00
8A	Pressure inject grout material as specified in Article C2.18	GAL	\$25.00	580	\$14,500.00	0	\$0.00		\$0.00	0	\$0.00	-\$14,500.00
OPTIONAL WORK ITEMS												
9A	12-inch sanitary sewer CIPP lining on Melissa St.	LF	\$30.00	399	\$11,970.00	0	\$0.00		\$0.00	0	\$0.00	-\$11,970.00
10A	10-inch sanitary sewer CIPP lining on Jefferson Street and Brighton Drive	LF	\$28.00	698	\$19,544.00	355	\$9,940.00	340	\$9,520.00	695	\$19,460.00	-\$84.00
11A	8-inch sanitary sewer CIPP lining on Eighth Street and Harding Street	LF	\$25.00	879	\$21,975.00	624	\$15,600.00		\$0.00	624	\$15,600.00	-\$6,375.00
12A	Pressure inject grouting lateral connection	EA	\$300.00	26	\$7,800.00	0	\$0.00		\$0.00	0	\$0.00	-\$7,800.00
13A	Pressure inject grout material as specified in Article C2.18	GAL	\$25.00	70	\$1,750.00	0	\$0.00		\$0.00	0	\$0.00	-\$1,750.00
TOTAL, PART A ITEMS 1A THROUGH 13A					\$1,582,723.00		\$642,360.00		\$204,486.00		\$846,846.00	-\$735,877.00

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MONTHLY STATEMENT OF UNIT PRICE CONTRACT AMOUNT

Request for: Partial Payment No. PR-1450701D-04 Date: July 9, 2008
(Partial/Final)

Project: Wastewater Collection System Rehabilitation Improvements, Phase 3

Owner: City of Menasha

Contractor: Infrastructure Technologies, Inc. E145-05.11

Original Contract Amount as Bid:	\$312,491.00
*(ADD)(DEDUCT) by Revised Quantities:	\$0.00
*Amount Added by Change Order:	\$0.00
*Amount Deducted by Change Order:	(\$5,760.00)
TOTAL CONTRACT THIS DATE:	\$306,731.00
Value of Work Completed to Date:	\$115,673.14
Less <u>5</u> Per Cent Retainable:	(\$5,783.66)
Net Total:	\$109,889.48

Project on Schedule: X YES NO 38 % Complete

Record of Previous Payments:

1	\$32,983.37	1/14/08	6		11	
2	\$30,495.91	5/13/08	7		12	
3	\$19,350.57	6/9/08	8		13	
4			9		14	
5			10		15	

Amount Previously Paid: \$82,829.85

AMOUNT DUE THIS REQUEST: \$27,059.63

This is to certify that, in accordance with the terms of the Contract, the Contractor is entitled to a payment in the amount requested.

Engineer's Approval for Payment

BY: Taryn S. Nall
Taryn S. Nall, P.E.
KAEMPFER & ASSOCIATES, INC.

Owner's Approval for Payment

BY: Mark Radtke, P.E., Dir. of Public Works
CITY OF MENASHA

* See Unit Price Contract Spreadsheet

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Unit Price Contract E145-07-01D Sanitary Manhole Lining June 30, 2008												
PROJECT: Wastewater Collection System Rehabilitation Improvements Phase 3 OWNER: City of Menasha CONTRACTOR: Infrastructure Technologies, Inc.												
ITEM NO.	DESCRIPTION	UNITS	UNIT PRICE	BID QTY.	BID TOTAL	PREVIOUSLY REQUESTED		CURRENT REQUEST		REVISED * QUANTITY	TOTAL	ADD (+) DEDUCT (-)
						QTY.	TOTAL	QTY.	TOTAL			
1D	Manhole concrete lining	VF	\$226.00	972	\$219,672.00	285.82	\$64,595.32	96.07	\$21,711.82	381.89	\$86,307.14	-\$133,364.86
2D	Sanitary sewer pipe connection	EA	\$75.00	268	\$20,100.00	72	\$5,400.00	34	\$2,550.00	106	\$7,950.00	-\$12,150.00
3D	Manhole flow channel construction to springline	EA	\$367.00	72	\$26,424.00	37	\$13,579.00	6	\$2,202.00	43	\$15,781.00	-\$10,643.00
4D	Manhole flow channel construction to 1-inch above crown of pipe	EA	\$580.00	39	\$22,620.00	6	\$3,480.00	3	\$1,740.00	9	\$5,220.00	-\$17,400.00
5D	Internal/external manhole chimney seal	EA	\$280.00	31	\$8,680.00	2	\$560.00	1	\$280.00	3	\$840.00	-\$7,840.00
6D	Urethane chimney seal	EA	\$210.00	31	\$6,510.00	0	\$0.00		\$0.00	0	\$0.00	-\$6,510.00
7D	Butyl and urethane chimney seal	EA	\$260.00	31	\$8,060.00	0	\$0.00		\$0.00	0	\$0.00	-\$8,060.00
8D	Butyl chimney seal	EA	\$50.00	18	\$900.00	19	\$950.00		\$0.00	19	\$950.00	\$50.00
	Deduct alternative bid item 1D for lining Manhole 614	EA	-\$475.00	1	-\$475.00	1	-\$475.00		\$0.00	1	-\$475.00	\$0.00
TOTAL, PART D ITEMS 1D THROUGH 8D					\$312,491.00		\$88,089.32		\$28,483.82		\$116,573.14	-\$195,917.86
CHANGE ORDER #CO-1450701D-01												
6D	Urethane chimney seal	EA	\$210.00	-26	-\$5,460.00	0	\$0.00		\$0.00	0	\$0.00	\$5,460.00
7D	Butyl and urethane chimney seal	EA	\$260.00	-14	-\$3,640.00	0	\$0.00		\$0.00	0	\$0.00	\$3,640.00
9D	Provide temporary concrete pavement restoration in place of permanent concrete restoration at manholes	EA	\$50.00	-30	-\$1,500.00	-18	-\$900.00	-3	-\$150.00	-21	-\$1,050.00	\$450.00
5D	Internal/external manhole chimney seal	EA	\$280.00	13	\$3,640.00	0	\$0.00		\$0.00	0	\$0.00	-\$3,640.00
8D	Butyl chimney seal	EA	\$50.00	24	\$1,200.00	0	\$0.00	3	\$150.00	3	\$150.00	-\$1,050.00
TOTAL CHANGE ORDER #CO-1450701D-01					-\$5,760.00		-\$900.00		\$0.00		-\$900.00	\$4,860.00
TOTAL CONTRACT AMOUNT TO DATE					\$306,731.00		\$87,189.32		\$28,483.82		\$115,673.14	-\$191,057.86

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July 16, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Traffic Study Report – Alva Street and Grove Street

Members of the Board:

The Board of Public Works directed that a traffic study be made for determining the need for traffic control signage at the intersection of Alva Street and Grove Street.

Attached to this letter is a copy of the Engineering Department's Traffic Study. The Traffic Study provides information relating to traffic volume, accident history and Manual on Uniform Traffic Control Devices (MUTCD) warrants for installation of regulatory signs.

In reviewing the information and from observation at the intersection, there is no apparent need to change the existing traffic control signage. I feel that the vision clearance problem could be addressed to be in compliance with Section 13-1-53 of the City of Menasha Municipal Code.

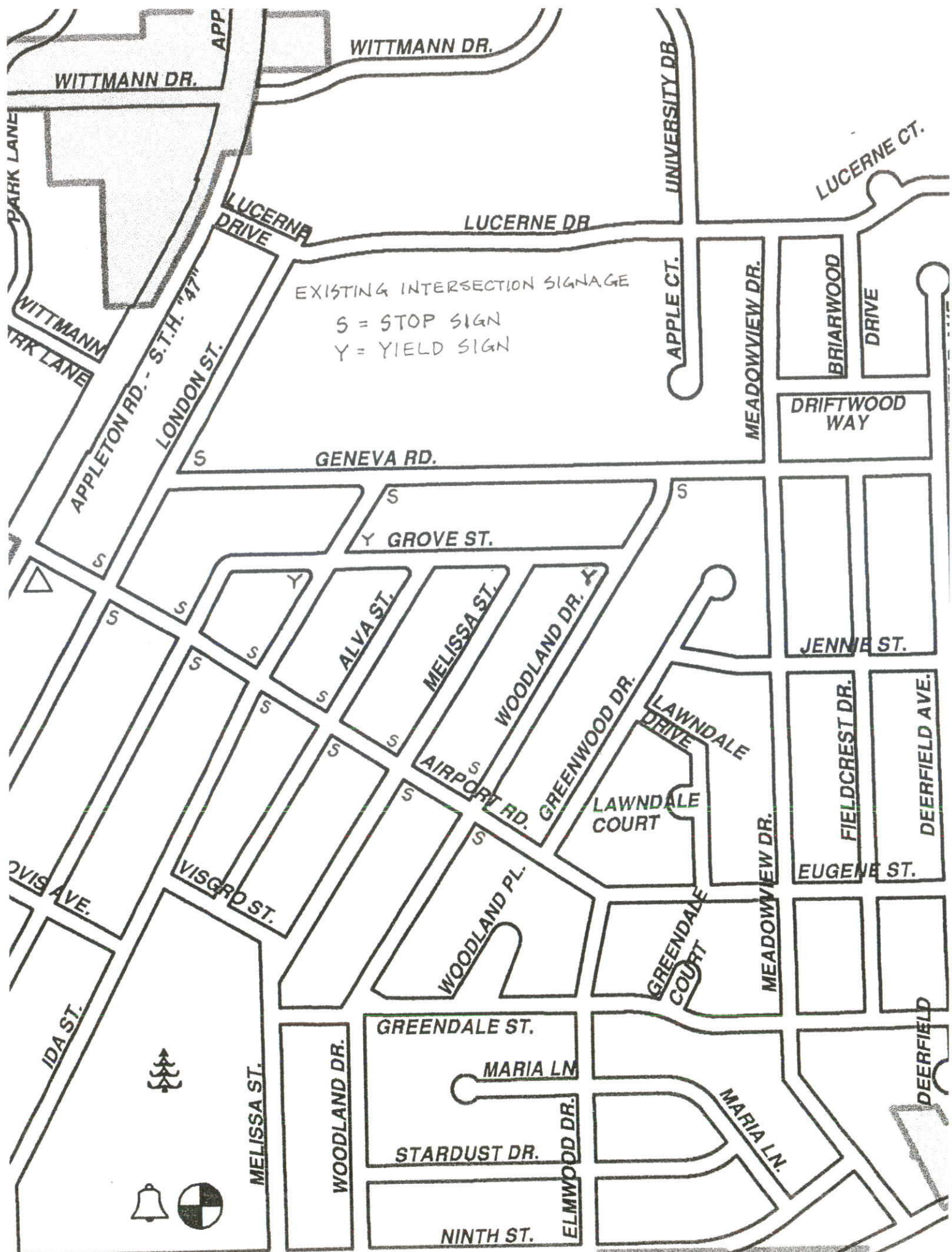
Sincerely,

Tim J. Montour
Engineering Supervisor

Attachments

C: Street file

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WITTMANN DR.

WITTMANN DR.

UNIVERSITY DR.

LUCERNE CT.

LUCERNE DRIVE

LUCERNE DR

EXISTING INTERSECTION SIGNAGE

S = STOP SIGN
Y = YIELD SIGN

APPLE CT.

MEADOWVIEW DR.

BRIARWOOD

DRIVE

DRIFTWOOD WAY

GENEVA RD.

Y GROVE ST.

ALVA ST.

MELISSA ST.

WOODLAND DR.

AIRPORT RD.

GREENWOOD DR.

LAWNDALE COURT

JENNE ST.

FIELDCREST DR.

DEERFIELD AVE.

EUGENE ST.

MEADOWVIEW DR.

GREENDALE COURT

WOODLAND PL.

GREENDALE ST.

MARIA LN

STARDUST DR.

NINTH ST.

ELMWOOD DR.

MARIA LN.

DEERFIELD



Traffic Study – Alva Street at Grove Street

Reason for Study

A request was made to investigate this intersection due to safety concerns as well as speeding and failure to yield to traffic.

Physical Conditions

Alva Street is 37' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. There are five foot wide concrete sidewalks on both sides of the street that end at the south right of way of Grove Street. The road right of way width is 60' and the area is single family residential.

Grove Street is 37' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. There are no sidewalks on Grove St. The road right of way width is 60' and the area single and multi-family residential.

Currently there is no traffic control at the intersection and the speed limit is 25 mph in the entire area. Parking is allowed on both sides of the street of the respective streets.

Criteria Used from MUTCD

Section 2B.05 STOP Sign Applications

Guidance:

STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:

A. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law; (See recommendation)

B. Street entering a through highway or street; (Not applicable)

C. Unsignalized intersection in a signalized area; and/or (Not applicable)

D. High speeds, restricted view, or crash records indicate a need for control by the STOP sign. (See recommendation)

Standard:

Because the potential for conflicting commands could create driver confusion, STOP signs shall not be installed at intersections where traffic control signals are installed and operating except as noted in Section 4D.01.

Portable or part-time STOP signs shall not be used except for emergency and temporary traffic control zone purposes.

Guidance:

STOP signs should not be used for speed control.

STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs (see Section 2B.08).

2003 Edition Page 2B-7

Sect. 2B.05 to 2B.07

Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

Support:

The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:

A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;

B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;

C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and

D. Stopping the direction that has the best sight distance to conflicting traffic.

The use of the STOP sign at highway-railroad grade crossings is described in Section 8B.08. The use of the STOP sign at highway-light rail transit grade crossings is described in Section 10C.04.

Section 2B.08 YIELD Sign (R1-2)

Standard:

The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications

Option:

YIELD signs may be used instead of STOP signs if engineering judgment indicates that one or more of the following conditions exist:

- A. When the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed, the 85th-percentile speed, or the statutory speed to pass through the intersection or to stop in a reasonably safe manner. (See recommendations)*
- B. If controlling a merge-type movement on the entering roadway where acceleration geometry and/or sight distance is not adequate for merging traffic operation. (Not applicable)*
- C. The second crossroad of a divided highway, where the median width at the intersection is 9 m (30 ft) or greater. In this case, a STOP sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway. (Not applicable)*
- D. An intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign. (See recommendations)*

Standard:

A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout intersection.

Traffic Count

Grove Street (between Alva St. and Melissa St.) - 24 hour traffic count was taken on May 21-22, 2008 with a total of 160 vehicles

Alva Street (south of Grove St.) - 24 hour traffic count was taken on May 28-29, 2008 with a total of 93 vehicles

Accident History

There have been no reportable accidents at the intersection or in the 1100 block of Alva Street.

Observations

While gathering information in the field at the intersection location and placing the loop counter in the roadway two observations were made;

- The property on the southeast corner of the intersection has a large pine tree which obstructs the vision triangle to the east on Grove Street. The tree is on private property.
- One resident I spoke with said their main concern was the speed of the cars driving on Grove Street past their house.

Recommendations

As the Traffic Study points out, Guidance/Warrants for a Stop or Yield Sign Application from the MUTCD are not substantially satisfied at this intersection. State statutes assign right of way at an uncontrolled "T" intersection to the traffic along the top of the "T", meaning traffic on Alva Street should be yielding to traffic on Grove St. Accident history and low volume of traffic do not warrant a yield sign or a stop sign on either leg of the intersection. There is a large pine tree within the vision clearance triangle at the intersection. The tree is on private property. Trimming the lower branches of the large pine tree at the southeast corner of the intersection could provide a better vision triangle to the east on Grove Street and south on Alva Street. Stop signs should not be used for speed control.





July 16, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Traffic Study Report – Alva Street and Grove Street

Members of the Board:

The Board of Public Works directed that a traffic study be made for determining the need for traffic control signage at the intersection of Alva Street and Grove Street.

Attached to this letter is a copy of the Engineering Department's Traffic Study. The Traffic Study provides information relating to traffic volume, accident history and Manual on Uniform Traffic Control Devices (MUTCD) warrants for installation of regulatory signs.

In reviewing the information and from observation at the intersection, there is no apparent need to change the existing traffic control signage. I feel that the vision clearance problem could be addressed to be in compliance with Section 13-1-53 of the City of Menasha Municipal Code.

Sincerely,

Tim J. Montour
Engineering Supervisor

Attachments

C: Street file

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Traffic Study – Alva Street at Grove Street

Reason for Study

A request was made to investigate this intersection due to safety concerns as well as speeding and failure to yield to traffic.

Physical Conditions

Alva Street is 37' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. There are five foot wide concrete sidewalks on both sides of the street that end at the south right of way of Grove Street. The road right of way width is 60' and the area is single family residential.

Grove Street is 37' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. There are no sidewalks on Grove St. The road right of way width is 60' and the area single and multi-family residential.

Currently there is no traffic control at the intersection and the speed limit is 25 mph in the entire area. Parking is allowed on both sides of the street of the respective streets.

Criteria Used from MUTCD

Section 2B.05 STOP Sign Applications

Guidance:

STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:

A. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law; (See recommendation)

B. Street entering a through highway or street; (Not applicable)

C. Unsignalized intersection in a signalized area; and/or (Not applicable)

D. High speeds, restricted view, or crash records indicate a need for control by the STOP sign. (See recommendation)

Standard:

Because the potential for conflicting commands could create driver confusion, STOP signs shall not be installed at intersections where traffic control signals are installed and operating except as noted in Section 4D.01.

Portable or part-time STOP signs shall not be used except for emergency and temporary traffic control zone purposes.

Guidance:

STOP signs should not be used for speed control.

STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs (see Section 2B.08).

2003 Edition Page 2B-7

Sect. 2B.05 to 2B.07

Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

Support:

The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:

A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;

B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;

C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and

D. Stopping the direction that has the best sight distance to conflicting traffic.

The use of the STOP sign at highway-railroad grade crossings is described in Section 8B.08. The use of the STOP sign at highway-light rail transit grade crossings is described in Section 10C.04.

Section 2B.08 YIELD Sign (R1-2)

Standard:

The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications

Option:

YIELD signs may be used instead of STOP signs if engineering judgment indicates that one or more of the following conditions exist:

- A. When the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed, the 85th-percentile speed, or the statutory speed to pass through the intersection or to stop in a reasonably safe manner. (See recommendations)*
- B. If controlling a merge-type movement on the entering roadway where acceleration geometry and/or sight distance is not adequate for merging traffic operation. (Not applicable)*
- C. The second crossroad of a divided highway, where the median width at the intersection is 9 m (30 ft) or greater. In this case, a STOP sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway. (Not applicable)*
- D. An intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign. (See recommendations)*

Standard:

A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout intersection.

Traffic Count

Grove Street (between Alva St. and Melissa St.) - 24 hour traffic count was taken on May 21-22, 2008 with a total of 160 vehicles

Alva Street (south of Grove St.) - 24 hour traffic count was taken on May 28-29, 2008 with a total of 93 vehicles

Accident History

There have been no reportable accidents at the intersection or in the 1100 block of Alva Street.

Observations

While gathering information in the field at the intersection location and placing the loop counter in the roadway two observations were made;

- The property on the southeast corner of the intersection has a large pine tree which obstructs the vision triangle to the east on Grove Street. The tree is on private property.
- One resident I spoke with said their main concern was the speed of the cars driving on Grove Street past their house.

Recommendations

As the Traffic Study points out, Guidance/Warrants for a Stop or Yield Sign Application from the MUTCD are not substantially satisfied at this intersection. State statutes assign right of way at an uncontrolled "T" intersection to the traffic along the top of the "T", meaning traffic on Alva Street should be yielding to traffic on Grove St. Accident history and low volume of traffic do not warrant a yield sign or a stop sign on either leg of the intersection. There is a large pine tree within the vision clearance triangle at the intersection. The tree is on private property. Trimming the lower branches of the large pine tree at the southeast corner of the intersection could provide a better vision triangle to the east on Grove Street and south on Alva Street. Stop signs should not be used for speed control.



July 16, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Traffic Study Report – Jennie Street and Greenwood Drive/Court

Members of the Board:

The Board of Public Works directed that a traffic study be made for determining the need for a yield sign at the intersection of Jennie Street and Greenwood Drive/Court.

Attached to this letter is a copy of the Engineering Department's Traffic Study. The Traffic Study provides information relating to traffic volume, accident history and Manual on Uniform Traffic Control Devices (MUTCD) warrants for installation of Yield Sign Applications.

In reviewing the information and from observation at the intersection, there is no apparent need to change the existing traffic control signage. I feel that the vision clearance problems need to be addressed to be in compliance with Section 13-1-53 of the City of Menasha Municipal Code.

Sincerely,

Tim J. Montour
Engineering Supervisor

Attachments

C: Street file

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Traffic Study – Jennie Street @ Greenwood Drive/Court

Reason for Study

A request was made by a resident in the area to investigate this intersection due to safety concerns as well as speeding and failure to yield to traffic. This property owner stated that a "Yield" sign had existed previously on the street name sign pole on Jennie Street but was not replaced after a traffic knockdown in 2003. I was unable to verify this pre-existing "Yield" sign with the Traffic Technician and it does not show up in the City of Menasha Code of Ordinances Section 10-1-16.

Physical Conditions

Jennie Street is 33' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. There are no sidewalks in the immediate area. The road right of way width is 60' and the area is single family residential.

Greenwood Drive and Greenwood Court are both 33' back of curb to back of curb. The street has a bituminous concrete surface with concrete curb and gutter. The road right of way width is 60' and the area single family residential.

Currently there is no traffic control at the intersection and the speed limit is 25 mph in the entire area. Parking is allowed on both sides of the street of all the respective streets.

Criteria Used from MUTCD

Section 2B.08 YIELD Sign (R1-2)

Standard:

The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications

Option:

YIELD signs may be used instead of STOP signs if engineering judgment indicates that one or more of the following conditions exist:

A. When the ability to see all potentially conflicting traffic is sufficient to allow a road user traveling at the posted speed, the 85th-percentile speed, or the statutory speed to pass through the intersection or to stop in a reasonably safe manner.(See recommendations)

B. If controlling a merge-type movement on the entering roadway where acceleration geometry and/or sight distance is not adequate for merging traffic operation.(Not applicable)

C. The second crossroad of a divided highway, where the median width at the intersection is 9 m (30 ft) or greater. In this case, a STOP sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway.(Not applicable)

D. An intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign.(See recommendations)

Standard:

A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout intersection.

Traffic Count

Jennie Street (at Greenwood Dr./Ct.) - 24 hour traffic count was taken on May 19-20, 2008 with a total of 275 vehicles

Greenwood Drive (between Jennie St. & Lawndale Dr.) - 24 hour traffic count was taken on May 20-21, 2008 with a total of 406 vehicles

Greenwood Court (north of Jennie St.) – 24 hour traffic count was taken on June 2-3, 2008 with a total of 110 vehicles

Accident History

There have been total of four (4) accidents in the vicinity of the intersection since 1998 (see attached). This includes the accident history of the 1100 block of Greenwood Drive, the 1200 block of Greenwood Ct. and the intersection Greenwood and Jennie Street.

Observations

While gathering information in the field at the intersection location and placing the loop counter in the roadway a few observations were made;

- The property on the northeast corner of the intersection has extensive landscaping in the lawn and terrace area. This landscaping along with the location and height of the shrubs and trees makes it very difficult to see north on Greenwood Ct. from Jennie St. and east on Jennie St. from Greenwood Ct.
- If you physically stop your vehicle at the street name sign on Jennie St., you cannot see to the north on Greenwood Ct.
- A "Two-Direction Large Arrow" sign exists on the west side of Greenwood Dr./Ct. visible from west-bound traffic on Jennie Street.

Recommendations

As the Traffic Study points out, Guidance/Warrants for a Yield Sign Application from the MUTCD are not substantially satisfied at this intersection. State statutes assign right of way at an uncontrolled "T" intersection to the traffic along the top of the "T", meaning traffic on Jennie Street should be yielding to traffic on Greenwood. There are substantial obstructions within the vision clearance triangle at the intersection. Accident history and low volume of traffic do not justify a yield sign or a stop sign. Elimination of obstructions at the intersection within the vision clearance triangle needs to be addressed.

ACCIDENT SUMMARY SHEET

ROUTE: *Greenwood Dr.*

LOCATION: *1100 block B*

MUNICIPALITY: *Menasha*

COUNTY: *Winnebago*

TIME PERIOD COVERED: -

REFERENCE MARKERS / NODES: *Lawndale* -

Jennie

REMARKS: *All Accidents*

DATE: *6/3/2008*

TIME OF DAY	# ACC	%	DIRECTION	# ACC	%	DIRECTION	# ACC	%
6 AM - 10 AM	1	100.0%	North	0	0.0%	Northeast	0	0.0%
10 AM - 4 PM	0	0.0%	South	1	100.0%	Northwest	0	0.0%
4 PM - 7 PM	0	0.0%	East	0	0.0%	Southeast	0	0.0%
7 PM - 12 AM	0	0.0%	West	0	0.0%	Southwest	0	0.0%
12 AM - 6 AM	0	0.0%	Total	1		Unspecified	0	0.0%
Unspecified	0	0.0%						
Total	1		ACCIDENT TYPE	# ACC	%	ACCIDENT TYPE	# ACC	%
WEATHER	# ACC	%	Rear End	0	0.0%	Pedestrian	0	0.0%
Clear	0	0.0%	Overtake	0	0.0%	Bicycle	0	0.0%
Cloudy	0	0.0%	Right Angle	0	0.0%	Parked Vehicle	0	0.0%
Rain	0	0.0%	Left Turn	0	0.0%	Backing	0	0.0%
Snow	0	0.0%	Right Turn	0	0.0%	Run Off The Road	0	0.0%
Sleet/Hail/Freezing Rain	0	0.0%	Fixed Object	1	100.0%	Animal	0	0.0%
Fog/Smog/Smoke	0	0.0%	Head On	0	0.0%	Other	0	0.0%
Unspecified	1	100.0%	Sideswipe	0	0.0%	Unspecified	0	0.0%
Total	1		Total	1				

SURFACE	# ACC	%	ACCIDENT SEVERITY	# ACC	%
Dry	0	0.0%	Fatal	0	0.0%
Wet	0	0.0%	Injury	0	0.0%
Mud/Slush	0	0.0%	Property Damage	0	0.0%
Snow/Ice	1	100.0%	Non-Reportable	1	100.0%
Unspecified	0	0.0%	Total	1	
Total	1				

TIME OF YEAR	# ACC	%	TYPE OF VEHICLE	# ACC	%
Winter (Dec-Feb)	1	100.0%	Passenger Cars	1	100.0%
Spring (Mar-May)	0	0.0%	Commercial Vehicles	0	0.0%
Summer (Jun-Aug)	0	0.0%	Total	1	
Fall (Sep-Nov)	0	0.0%			
Total	1				

DAY OF WEEK	# ACC	%	LIGHT CONDITION	# ACC	%
Sunday	0	0.0%	Daylight	1	100.0%
Monday	0	0.0%	Dawn/Dusk	0	0.0%
Tuesday	0	0.0%	Night	0	0.0%
Wednesday	1	100.0%	Unspecified	0	0.0%
Thursday	0	0.0%	Total	1	
Friday	0	0.0%			
Saturday	0	0.0%			
Total	1				

SUMMARY OF ACCIDENT SEVERITY BY YEAR:

	0
Fatal Accidents	0
Injury Accidents	0
Property Damage Accidents	0
Non-Reportable Accidents	0
Total Accidents	0

DETAILS OF ACCIDENT HISTORY

PERIOD STUDIED: FROM: TO: 0 MONTHS		# VEHICLES	SEVERITY	LIGHT CONDITION	ROAD CHARACTER	SURFACE	WEATHER	ROUTE NUMBER/STREET NAME: Greenwood Dr. LOCATION 1100 block B MUNICIPALITY: Menasha REFERENCE MARKERS / NODES: Lawndale - Jennie		CASE No. FILE: ireenwood_1100bE BY: cr DATE: 6/3/2008			
No.	DATE	TIME	CONTRIB. FACTORS					ACC. TYPE	ACCIDENT DESCRIPTION			KEY #	
1	2/5/2003	7:36	1	N/R	1	1	4	66	FixO	unit 1 lost control and slid into snowbank/mailbox			

COLLISION DIAGRAM

Key Number =

MUNICIPALITY: *Menasha*

COUNTY: *Winnebago*

FILE: *greenwood_1100bB*

INTERSECTION: *Greenwood Dr.*

CASE #:

PERIOD: *0* YEARS *0* MONTHS

FROM

TO

BY: *cr*

DATE: *6/3/2008*

Northbound 

Greenwood Dr.



Greenwood Dr.

SYMBOLS



MOVING VEHICLE



TURNING VEHICLE



BACKING VEHICLE



PARKED VEHICLE

999

RECORD NUMBER

P

PEDESTRIAN

B

BICYCLIST

A

ANIMAL



FIXED OBJECT



Fatal

MANNER OF COLLISION



REAR END



LEFT TURN



LEFT TURN



OVERTAKE



OUT OF CONTROL



HEAD ON



RIGHT TURN



RIGHT TURN



RIGHT ANGLE



SIDE SWIPE

ACCIDENT SUMMARY SHEET

ROUTE: *Jenny Street*

LOCATION: *at Greenwood Drive*

MUNICIPALITY: *City of Menasha*

COUNTY: *Winnebago*

TIME PERIOD COVERED: -

REFERENCE MARKERS / NODES: -

REMARKS: *All Accidents*

DATE: *6/3/2008*

TIME OF DAY	# ACC	%	DIRECTION	# ACC	%	DIRECTION	# ACC	%
6 AM - 10 AM	0	0.0%	North	1	33.3%	Northeast	0	0.0%
10 AM - 4 PM	0	0.0%	South	1	33.3%	Northwest	0	0.0%
4 PM - 7 PM	1	50.0%	East	0	0.0%	Southeast	0	0.0%
7 PM - 12 AM	1	50.0%	West	1	33.3%	Southwest	0	0.0%
12 AM - 6 AM	0	0.0%				Unspecified	0	0.0%
Unspecified	0	0.0%						
Total	2		Total	3				

WEATHER	# ACC	%	ACCIDENT TYPE	# ACC	%	ACCIDENT TYPE	# ACC	%
Clear	0	0.0%	Rear End	0	0.0%	Pedestrian	0	0.0%
Cloudy	1	50.0%	Overtake	0	0.0%	Bicycle	0	0.0%
Rain	0	0.0%	Right Angle	1	50.0%	Parked Vehicle	0	0.0%
Snow	0	0.0%	Left Turn	0	0.0%	Backing	0	0.0%
Sleet/Hail/Freezing Rain	0	0.0%	Right Turn	0	0.0%	Run Off The Road	0	0.0%
Fog/Smog/Smoke	0	0.0%	Fixed Object	1	50.0%	Animal	0	0.0%
Unspecified	1	50.0%	Head On	0	0.0%	Other	0	0.0%
			Sideswipe	0	0.0%	Unspecified	0	0.0%
Total	2		Total	2				

SURFACE	# ACC	%
Dry	0	0.0%
Wet	0	0.0%
Mud/Slush	0	0.0%
Snow/Ice	2	100.0%
Unspecified	0	0.0%
Total	2	

ACCIDENT SEVERITY	# ACC	%
Fatal	0	0.0%
Injury	0	0.0%
Property Damage	1	50.0%
Non-Reportable	1	50.0%
Total	2	

TIME OF YEAR	# ACC	%
Winter (Dec-Feb)	2	100.0%
Spring (Mar-May)	0	0.0%
Summer (Jun-Aug)	0	0.0%
Fall (Sep-Nov)	0	0.0%
Total	2	

TYPE OF VEHICLE	# ACC	%
Passenger Cars	1	100.0%
Commercial Vehicles	0	0.0%
Total	1	

DAY OF WEEK	# ACC	%
Sunday	0	0.0%
Monday	0	0.0%
Tuesday	1	50.0%
Wednesday	1	50.0%
Thursday	0	0.0%
Friday	0	0.0%
Saturday	0	0.0%
Total	2	

LIGHT CONDITION	# ACC	%
Daylight	0	0.0%
Dawn/Dusk	0	0.0%
Night	1	50.0%
Unspecified	1	50.0%
Total	2	

SUMMARY OF ACCIDENT SEVERITY BY YEAR:

	0
Fatal Accidents	0
Injury Accidents	0
Property Damage Accidents	0
Non-Reportable Accidents	0
Total Accidents	0

DETAILS OF ACCIDENT HISTORY

<div>PERIOD STUDIED: FROM: TO: 0 MONTHS</div>		# VEHICLES	SEVERITY	LIGHT CONDITION	ROAD CHARACTER	SURFACE	WEATHER	ROUTE NUMBER/STREET NAME: Jenny Street LOCATION at Greenwood Drive MUNICIPALITY: City of Menasha REFERENCE MARKERS / NODES:		CASE No. FILE: jennie_greenwood BY: tjm DATE: 6/3/2008		
No.	DATE	TIME						CONTRIB. FACTORS	ACC. TYPE	ACCIDENT DESCRIPTION	KEY #	
1	12/29/1998	22:03		PDO			4	2				
4	1/21/2004	17:06	1	N/R	4	1	4		66	unit 1 lost control on snowy roads and struck street sign		

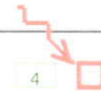
COLLISION DIAGRAM

Key Number =

MUNICIPALITY: <i>City of Menasha</i>	COUNTY: <i>Winnebago</i>	FILE: <i>jennie_greenwood</i>
INTERSECTION: <i>Jenny Street</i>		CASE # :
PERIOD: <i>0</i> YEARS <i>0</i> MONTHS	FROM	TO
		BY: <i>tjm</i> DATE: <i>6/3/2008</i>

Northbound 

Greenwood Ct.



Greenwood Dr.

Jennie Street

SYMBOLS

	MOVING VEHICLE	P	PEDESTRIAN
	TURNING VEHICLE	B	BICYCLIST
	BACKING VEHICLE	A	ANIMAL
	PARKED VEHICLE		FIXED OBJECT
	RECORD NUMBER		Fatal

MANNER OF COLLISION

	REAR END		HEAD ON
	LEFT TURN		RIGHT TURN
	LEFT TURN		RIGHT TURN
	OVERTAKE		RIGHT ANGLE
	OUT OF CONTROL		SIDE SWIPE

ACCIDENT SUMMARY SHEET

ROUTE: *Greenwood Ct.*

LOCATION: *1200 block*

MUNICIPALITY: *Menasha*

COUNTY: *Winnebago*

TIME PERIOD COVERED: -

REFERENCE MARKERS / NODES: -

REMARKS: *All Accidents*

DATE: *6/3/2008*

TIME OF DAY			# ACC	%	DIRECTION			# ACC	%
6 AM - 10 AM			0	0.0%	North			0	0.0%
10 AM - 4 PM			0	0.0%	South			0	0.0%
4 PM - 7 PM			0	0.0%	East			0	0.0%
7 PM - 12 AM			1	100.0%	West			0	0.0%
12 AM - 6 AM			0	0.0%	Total			2	
Unspecified			0	0.0%				0	0.0%
Total			1		ACCIDENT TYPE			# ACC	%
WEATHER			# ACC	%	Rear End			0	0.0%
Clear			0	0.0%	Overtake			0	0.0%
Cloudy			0	0.0%	Right Angle			0	0.0%
Rain			0	0.0%	Left Turn			0	0.0%
Snow			1	100.0%	Right Turn			0	0.0%
Sleet/Hail/Freezing Rain			0	0.0%	Fixed Object			0	0.0%
Fog/Smog/Smoke			0	0.0%	Head On			0	0.0%
Unspecified			0	0.0%	Sideswipe			0	0.0%
Total			1		Total			1	

SURFACE			# ACC	%	ACCIDENT SEVERITY			# ACC	%
Dry			0	0.0%	Fatal			0	0.0%
Wet			0	0.0%	Injury			0	0.0%
Mud/Slush			0	0.0%	Property Damage			1	100.0%
Snow/Ice			1	100.0%	Non-Reportable			0	0.0%
Unspecified			0	0.0%	Total			1	
Total			1						

TIME OF YEAR			# ACC	%	TYPE OF VEHICLE			# ACC	%
Winter (Dec-Feb)			0	0.0%	Passenger Cars			1	50.0%
Spring (Mar-May)			1	100.0%	Commercial Vehicles			1	50.0%
Summer (Jun-Aug)			0	0.0%	Total			2	
Fall (Sep-Nov)			0	0.0%					
Total			1						

DAY OF WEEK			# ACC	%	LIGHT CONDITION			# ACC	%
Sunday			0	0.0%	Daylight			0	0.0%
Monday			0	0.0%	Dawn/Dusk			0	0.0%
Tuesday			0	0.0%	Night			1	100.0%
Wednesday			0	0.0%	Unspecified			0	0.0%
Thursday			0	0.0%	Total			1	
Friday			0	0.0%					
Saturday			1	100.0%					
Total			1						

SUMMARY OF ACCIDENT SEVERITY BY YEAR:

	0
Fatal Accidents	0
Injury Accidents	0
Property Damage Accidents	0
Non-Reportable Accidents	0
Total Accidents	0

DETAILS OF ACCIDENT HISTORY

<div>PERIOD STUDIED: FROM: TO: 0 MONTHS</div>		# VEHICLES	SEVERITY		LIGHT CONDITION	ROAD CHARACTER	SURFACE	WEATHER	ROUTE NUMBER/STREET NAME: Greenwood Ct. LOCATION 1200 block MUNICIPALITY: Menasha REFERENCE MARKERS / NODES:		COUNTY: Winnebago	CASE No. FILE: greenwdct_1200bl BY: cr DATE: 6/3/2008		
No.	DATE	TIME	CONTRIB. FACTORS		ACC. TYPE	ACCIDENT DESCRIPTION							KEY #	
1	3/8/2003	19:50	2	PDO	4	1	4	4	4	4	Othr	unit 1 (plow) lowered side blade onto hood of unit 2		



Mark Radtke

From: Mark Radtke
Sent: Tuesday, March 18, 2008 11:53 AM
To: 'lipb@sbcglobal.net'
Cc: Thomas Michalkiewicz; 'Don Merkes'; Joe Laux
Subject: Yield Sign Request

Hi Kelli,

Ald. Merkes indicated you would like to pursue the installation of a yield sign at the intersection of Greenwood Drive and Jenny Street. We need to place this item on a future Board of Public Works agenda. The next meeting is scheduled for the evening of April 7th (time to be determined later, but normally around 6:30pm). Do you want me to schedule this for that meeting, or is there another meeting date that works better for you? Meetings are held the first and third Mondays of the month. We also prefer a written form of a request explaining why you feel the sign is needed. I have your email to Ald. Merkes which we can use as your written request for this sign, but if there is more you wish to include, please email that information to me. You may also wish to contact neighbors about this issue and ask for their input. Please reply regarding the meeting date that works best for you. Contact me if you have any questions.

Thanks, Mark

Mark Radtke
Director of Public Works
City of Menasha
(920) 967-3610



Print - Close Window

Date: Sat, 15 Mar 2008 18:10:14 -0700 (PDT)**From:** "Don Merkes" <dmerkes@sbcglobal.net>**Subject:** Fwd: yield sign**To:** "Donald Merkes" <dmerkes@sbcglobal.net>

-- kelli mitchell <lipb@sbcglobal.net> wrote:

> Date: Wed, 5 Mar 2008 05:57:25 -0800 (PST)

> From: kelli mitchell <lipb@sbcglobal.net>

> Subject: yield sign

> To: dmerkes@ci.menasha.wi.us

> Hi Donald.

> I hope to bring to your attention the need for a yield sign at the corner
> of Jenny street and Greenwood street in the City of Menasha.

> When Le and I bought the property at 1148 Greenwood Drive, this corner had
> a yield sign on the corner when traveling West on Jenny and intersecting with
> Greenwood. If one were to miss this turn they could literally go straight
> onto our property which has happened in slippery conditions although,
> thankfully, they only made it slightly onto the curb.

> An accident happened in the Winter months of 2003 and this sign was knocked
> down. When the sign was replaced the newer signs went up but no yield sign.

> I have on numerous occasions, came close to being hit by cars traveling
> West while approaching my driveway heading North. Children ride their bikes
> near this "corner" and the traffic heading West have no inclination to slow
> for this left hand turn. Motorist use this route as a raceway and has become
> a topic of conversation in the neighborhood.

> I trust you will bring this matter to the council and bring safety back to
> our neighborhood.

> Thank you for the understanding in this matter.

> Sincerely,

> Conscientious voters

> Le and Kelli Hoertsch

> ksm

> *****As a local governmental entity, the City of Menasha is subject to
> Wisconsin statutes relating to open records. Any e-mail received by anyone at
> the City of Menasha, as well as any e-mail sent by someone from the City of
> Menasha are subject to these laws. Unless otherwise exempted from the Open
> Records law, senders and receivers of City e-mail should presume that any
> e-mail is subject to release upon request.*****

ORDINANCE O – 10 – 08

AN ORDINANCE RELATING TO DOGS IN PARKS

Introduced by Alderman Michael Taylor

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sec. 12 – 1 – 1 (b)(3) is repealed and recreated to read as follows:

- (3) Pets. Subject to the exceptions below, dogs, cats or other pets are prohibited in all City parks, unless permitted by the Parks and Recreation Board.
- a. Animals specifically trained to assist the disabled.
 - b. Dogs, cats or other pets owned by Marina renters or their guests are permitted in the fenced-in area of the Menasha Marina.
 - c. Dogs, cats or other pets are allowed on the Friendship Trail, provided they are on a leash not more than five feet long that is not retractable. The owner must also comply with sec. 7 – 1 – 10 relating to animal feces.
 - d. No dogs shall be allowed on the Friendship Trail in Jefferson Park on July 4th *after 12:00 p.m.* The Chief of Police or the Director of Parks and Recreation or their respective designee may restrict dogs from the Friendship Trail in Jefferson Park other times if an event is scheduled that could reasonably create a conflict between the dogs and the persons attending the event.
 - e. Animals sponsored or owned by individuals of a petting display, pony ride, animal show, obedience school, wedding ceremony, funeral, or any other event deemed appropriate by the Parks and Recreation Board may be approved to be in parks.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____,

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O - 12 - 08

AN ORDINANCE RELATING TO DESTRUCTION OF CITY PROPERTY

Introduced by Alderman Wisneski

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sec. 3 – 4 – 1 (b)(6) is created to read as follows:

(6) Value shall include the reasonable cost of the time spent by any City employee in the marketing of property.

SECTION 2: Sec. 3 – 4 – 1 (e)(2) is amended by deleting “other than” and inserting in lieu thereof “including” in line 4.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____,

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ATTORNEY’S NOTE: This adds to the consideration of value the cost that the City might incur in the preparation of and marketing of an item of surplus property. It is recognized that the cost to sell many items far exceeds their reasonable value.

ORDINANCE 0-13-08

AN ORDINANCE RELATING TO THE LANDMARKS COMMISSION

Introduced by Alderman Pamenter at the recommendation of the Landmarks Commission.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Title 2, SEC. 2-4-8 repealed and recreated to read as follows:

SEC. 2-4-8 LANDMARKS COMMISSION.

- (a) The Landmarks Commission shall be organized by and function under the general direction of the Common Council.
- (b) It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character, special historic interest or value is a public benefit in that such protection, enhancement, perpetuation and continued use is believed to:
 - (1) Serve as a support and stimulus to business and industry, thereby strengthening the economy of the city.
 - (2) Safeguard elements of the City's historic and cultural heritage, as embodied and reflected in historic structures, sites, and districts.
 - (3) Stabilize and improve property values.
 - (4) Foster civic pride in the accomplishments of the past.
 - (5) Promote the use of historic structures, sites and districts for the education, pleasure and welfare of the people of the City.
 - (6) Integrate the modern environment with historic buildings and sites.
- (c) **DEFINITIONS.** The following words and terms wherever they appear in this chapter, shall be construed as herein defined. Words not defined shall be interpreted in accordance with definitions found in any standard dictionary.
 - (1) Alteration. A change in the external architectural features of any historic structure or in the interior of any such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.
 - (2) Commission. The Landmarks Commission created under this section.
 - (3) Certificate of Appropriateness. Document issued by the Landmarks Commission, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.
 - (4) Historic Structure. Any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the City, state or nation and which has been designated as a historic structure pursuant to the provisions of this chapter.

- (5) Historic Site. Any parcel of land whose historic significance is due to substantial value in tracing the history of aboriginal people, or upon which a historic event has occurred, and which has been designated a historic site under this section, or an improvement parcel, or part thereof, on which is situated a historic structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
- (6) Historic District. An area designated by the Common Council on recommendation of the Commission, composed of two or more improvement parcels that together comprise a district of special character or special historic interest or value as part of the development, heritage or cultural characteristics of the City, state or nation, and which has been designated as a historic district pursuant to the provisions of this chapter.
- (7) Improvement. Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such improvement.
- (8) Improved Parcel. Unit of property which includes a physical betterment constituting an improvement and the land embracing the site thereof, and is treated as a single entity for the purpose of levying real estate taxes. Provided, however, that the term "improved parcel" shall also include any unimproved area of lands which is treated as a single entity for such tax purposes.

(d) COMPOSITION AND TERMS.

- (1) A Landmarks Commission is created whose members shall be appointed by the Mayor, subject to the confirmation by the Common Council, as follows:
 - a. Community Development Director as an ex officio, non-voting member;
 - b. Six members at large;
 - c. An Alderman appointed for one (1) year at annual reorganization meeting.
- (2) The Mayor shall consider prospective member's interest, knowledge, or expertise in historical, architectural, geological, archeological, or cultural preservation. Consideration shall also be given as to whether any member owns property in the designated historic district or a building otherwise designated as historic by the commission.
- (3) All at large members shall be appointed for three-year terms with the first appointments staggered such that three of the original appointees serve three-year terms, two serve two-year terms and the remaining member serves a one-year term. The alderman member shall be appointed by the Mayor and confirmed by the Common Council at its annual organization meeting. The Community Development Director shall serve in an advisory capacity to the Landmark's Commission for an unlimited term.
- (4) Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.
- (5) The Landmarks Commission shall select a chair, vice-chair and secretary and shall then adopt rules and regulations for its operation consistent with the provisions of this section.

(e) **POWERS AND DUTIES.** The Landmarks Commission shall have the following powers and duties:

- (1) To develop appropriate criteria and standards for identifying and evaluating neighborhoods, places, structures and improvements which might be classified as landmarks, landmark sites, historic districts or specially designated landmarks.
- (2) To identify landmarks, landmark sites, and historic districts within the City subject to official designation by the Common Council; and which upon such official designation shall be subject to the provisions herein.
- (3) Other Duties. In addition to those duties already specified in this Section, the Commission shall:
 - a. Cooperate with the historic preservation officer for the State of Wisconsin, and the State Historic Preservation Review Board, in attempting to include such properties hereunder designated as historic structures, sites, or districts in the National Register of Historic Places.
 - b. Where necessary and appropriate recommend to the Planning Commission that the City acquire an interest in historic properties by purchase, donation or bequest, including the use of "preservation easements", where appropriate.
 - c. Establish appropriate markers for officially designated landmarks and historic districts.
 - d. Promote public education, interest and support for the preservation and enhancement of historic landmarks, landmark sites, and historic districts.
 - e. To advise owners of landmarks, landmark sites or structures of the benefits, problems and techniques of preservation and encourage their participation in preservation activities.

(f) **BUDGET AND FINANCE.** For the purposes enumerated in Section 1(b) of this Chapter, the Landmarks Commission may:

- (1) Any funds deemed necessary shall be included in the Community Development Department budget. The Community Development Director shall monitor all expenditures consistent with City policy.
- (2) Upon authorization by the Common Council, apply for state and/or federal funding.
- (3) Upon authorization by the Common Council, raise funds and accept grants or gifts from public and private sources. Such funds shall be placed in a separate account as may be established by the City Comptroller and may be used upon authorization by the Common Council.
- (4) Recommend contracting for services using such funds as may be authorized in the Community Development Department's budget or from other sources as may be approved by the Common Council. All such contracts require Common Council approval and shall be administered by the Community Development Director.

(g) **DESIGNATION OF HISTORIC STRUCTURES.** For purposes of this ordinance, a historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement, or structure located

thereon, or any area of particular historic, architectural, archeological, or cultural significance to the City, such as historic structures, sites or districts which:

- (1) Exemplify or reflect the broad cultural, political, economic, or social history of the nation, state, or community; or
- (2) Are identified with historic personages or with important events in national, state, or local history; or
- (3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
- (4) Are representative of the notable work of a master builder, designer, or architect who influenced his age; or
- (5) Have yielded, or may be likely to yield, information important to prehistory or history.

a. Designation of historic structures and historic sites.

1. The commission may, after notice and public hearing, designate historic structures and historic sites or rescind such designation or recommendation after application of the criteria in section (4), above. At least 10 days prior to such hearing, the commission shall notify the owners of record, as listed in the office of the city assessor, who are owners or property in whole or in part situated within 100 feet of the boundaries of the property affected. These owners shall have the right to confer with the commission prior to final action by the commission on the designation. Notice of such hearing shall also be published as a Class 1 Notice under the Wisconsin Statutes. The commission shall also notify the following: department of public works, redevelopment authority, parks department, fire and police departments, health department, building inspection department, plan commission, and the city assessor. Each such department may respond to the commission with its comments on the proposed designation or rescission.
2. The commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and shall have the power to subpoena such witnesses and records as it deems necessary. The commission may conduct an independent investigation into the proposed designation or rescission. Within ten days after the close of the public hearing, the commission may designate the property as either a historic structure or historic site, or rescind the designation. After the designation or rescission has been made, notification shall be sent to the property owner or owners. Notification shall also be given to the city clerk, building inspection department, plan commission, and the city assessor. The property owner may appeal such decision to the common council within 30 days. The commission shall cause the designation or rescission to be recorded, at city expense, in the county register of deeds office.

(h) DESIGNATION OF HISTORIC SIGNS.

- (1) A sign may be designated to be eligible for listing on the Historic Sign Inventory when it has been in existence, but not necessarily continually visible or displayed, for a period of forty (40) years or more, and meets at least one (1) or more of the following criteria:
 - a. Is identified with the history of a product, business or service advertised.
 - b. Reflects the history of the building or a Historic District on/in which the sign is located.
 - c. Is integrated into the architecture of the building on which the sign is located and may be exemplary of a historically significant architectural style of the building.
 - d. The sign, if removed from a Historic Structure, will harm the integrity of the building or cause significant damage to its materials.
 - e. Is recognized as a popular focal point in the area by reason of its prominent location, long existence, large size or unusual design.
 - f. Exemplifies or reflects the City's cultural, social, economic, political, engineering and/or architectural history.
- (2) The Commission may, after notice and public hearing, evaluate and designate a sign as historically significant or recommend rescinding a previous designation of historical significance upon application of criteria provided in this section above. A review of eligibility for listing on the Historic Sign Inventory may be initiated by the Landmarks Commission or the owner of an improvement parcel which contains a potential Historic Sign. Where a property owner petitions the Commission to review eligibility for listing on the Historic Sign Inventory, the owner shall provide sufficient supporting documentation for Commission evaluation.

At least ten (10) days prior to such hearing, the Commission shall, by regular mail or person service, notify persons listed as owners of relevant improvement parcels containing a potential Historic Sign and owners of improvement parcels situated within one hundred (100) feet of the boundary of the improvement parcel containing the potential Historic Sign of the date, time and place of hearing. Notice of such hearing shall also be published as a Class 2 Notice, under the Wisconsin Statutes. Publication shall cure any defect in the service of notice. The Commission shall also notify the Director of the Department of Community Development. The Department of Community Development may respond to the Commission within fifteen (15) days of notification with its comments, if any, on the proposed listing of the sign on the Historic Sign Inventory or rescission of such listing. The Commission shall then receive such reports and conduct a public hearing. It may call witnesses, including experts, and may subpoena such witnesses and records as it deems necessary. The Commission may view the sign in issue and direct the conduct of an independent investigation into the proposed listing of the sign on the Historic Sign Inventory or rescission of such listing.

The Commission shall approve or deny the designation of the sign as a Historic Sign. If approved for designation as a Historic Sign, the Commission shall direct that it be included on a Historic Sign Inventory and, if located on a building or structure designated as a Historic Structure or site, identified as such. Historic signs shall be exempt from the provision of Article F of the Menasha Code of Ordinances. The Historic Sign Inventory shall be on file and available for public inspection in the Community Development Department.

(i) **PRESERVATION AND ADOPTION OF HISTORICAL PROPERTIES.**

Guideline criteria in the development of historic district plans are as follows:

- (1) Regulation of construction, reconstruction, and exterior alteration shall conform to the criteria and standards in subsection (j)(1).
- (2) All new structures shall be constructed to a height visually compatible with the building and environment with which they are visually related.
- (3) The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related.
- (4) In the street elevation of a building, the proportion between the width and height in the façade should be visually compatible with the building and environment with which it is visually related.
- (5) The proportions and relationships between doors and windows in the street façade should be visually compatible with the buildings and environment with which it is visually related.
- (6) The rhythm of solids to voids, created by openings in the façade, should be visually compatible with the buildings and environment with which they are visually related.
- (7) The existing rhythm created by existing building masses and spaces between them should be preserved.
- (8) The materials used in the final façade should be visually compatible with the buildings and environment with which they are visually related.
- (9) The texture inherent in the façade should be visually compatible with the buildings and environment with which it is visually related.
- (10) Colors and patterns used on the façade (especially trim) should be visually compatible with the buildings and environment with which they are visually related.
- (11) The design of the roof should be visually compatible with the buildings and environment with which they are visually related.
- (12) The landscape plan should be sensitive to the individual building, its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related.
- (13) The street façade should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.
- (14) Architectural elements should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.
 - a. Review and adoption procedure.
 1. Landmarks Commission

The Landmarks Commission shall hold a public hearing when considering the plan for a historic district. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 1 Notice under the Wisconsin Statutes in the official city paper. Notice of the time, place, and purpose of the public hearing shall also be sent by the city clerk to the council member of the aldermanic district or districts in which the historic district is located, and the owners of record, as listed in the Office of the city assessor, who are owners of the property within the proposed historic district or are situated in whole or in part within 100 feet of the boundaries of the proposed historic district. Said notice is to be sent at least ten days prior to the date of the public hearing. Following the public hearing, the Landmarks Commission shall vote to recommend, reject, or withhold action on the plan. This recommendation shall be forwarded to the city plan commission and the common council.

2. The City Plan Commission

The plan commission shall review the historic district plan and make a recommendation to the common council. The plan commission shall make its recommendation on the historic district plan within 45 days.

3. The Common Council

The common council, upon receipt of the recommendation from the Landmarks Commission and plan commission, shall hold a public hearing, with notice to be given as noted in subsection 1., above, and shall, following the public hearing, either designate or reject the historic district. Designation of the historic district shall constitute adoption of the plan in ordinance form prepared for that district and direct the implementation of said plan. Property owners may appeal such decision to the common council within 30 days.

(j) REGULATION OF CONSTRUCTION, RECONSTRUCTION, AND EXTERIOR ALTERATION.

(1) Certificate of Appropriateness. A Certificate of Appropriateness is required before a building permit can be issued for the demolition, new construction, exterior alteration, modification or addition to a designated historic property or sign. Any building permit not issued in conformity with this ordinance shall be considered void. Acceptable exterior alterations include, but are not limited to, the construction of additions, the installation of siding, windows, doors, awnings, and signage, or the application of paint or other exterior coatings.

- a. Such application shall contain a description and sketch of the proposed changes.
- b. A copy of the procedures for Landmarks Commission review shall be provided in writing to each applicant.
- c. Within ten (10) days of the referral from the Director of Community Development, the Landmarks Commission shall schedule a meeting to review said application. The Landmarks Commission shall utilize the following criteria to evaluate the appropriateness of the proposed change.

1. In the case of a designated historic district, structure or site, the proposed work shall not detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement upon which said work is to be done; and,
 2. In the case of the construction of a new structure upon a historic site, the exterior of such improvement shall not adversely affect the external appearance of other neighboring improvements on such site. The exterior of such improvement shall also harmonize with the external appearance of other neighboring improvements on such site; and,
 3. In the case of any property located in a designated historic district the proposed construction, reconstruction, or exterior alteration must conform to the objectives and design criteria of the Historic Preservation Plan.
- (2) If the Landmarks Commission determines the landmark, landmark site, or property within a historic district would be adversely affected by the proposed change or if for any other reason the Commission rejects the request, the Commission shall state in writing the reasons.
- (3) Should the Landmarks Commission fail to act within the specified time period or refuse to issue a certificate of appropriateness due to the failure of the proposal to meet the guidelines, the applicant may appeal to the Common Council.

If a Certificate of Appropriateness is granted, building permit applications shall be made to the Director of Community Development. The application for a Certificate of Appropriateness must be signed by the owner or his authorized representative, and the form must be signed by the chairman of the Landmarks Commission stating its approval, denial, or approval with conditions and the reasons for the decision.

- (4) When considering an application for a Certificate of Appropriateness for new construction, alteration, repair, or restoration, the Commission shall use the Secretary of the Interior's Standards for Rehabilitation as guidelines in making its decisions. In addition, the Commission may adopt more specific guidelines for local historic districts and local historic buildings. These guidelines serve as the basis for determining the approval, approval with modifications, or denial of an application.

The Secretary's Standards for Rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such

as adding conjectural features or elements from other buildings, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(k) **REGULATION OF DEMOLITION AND NEW CONSTRUCTION.** No portion of a designated historic structure or site shall be demolished, nor shall a new building be constructed or new use established in a historic district unless such demolition, construction or use complies with this Section.

- (1) A permit is required as described in Section (g). Application shall be made to the Director of Community Development utilizing the procedures enumerated in Section (g)(1-2).
- (2) In determining whether to issue a certificate of appropriateness for demolition, new construction or alternate use, the Landmarks Commission shall consider:
 - a. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.
 - b. Whether any prospective new structure, or change in use would be compatible with the buildings and environment or the district in which the subject property is located.
 - c. Whether the building or structure is of such architectural or historic significance that this demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City and the state.

- d. Whether demolition of the property would be contrary to the purpose and intent of this chapter and to the objectives of the Historic Preservation Plan.
 - e. Whether the building or structure is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense.
 - f. Whether retention of the building or structure would encourage study of American history, architecture and design or develop and understanding of American culture and heritage.
- (4) These provisions shall not apply to any building or structure which has been determined by the Building Inspector in consultation with the Community Development Director to fulfill the requirements of Sec. 66.05 Wis. Stats., and Sec. 11-7-5 and Sec. 15-5-13 City of Menasha Code, or if the City or any other governmental entity is proceeding under Ch. 32 Wis. Stats.

(l) PENALTIES.

- (1) Any person who alters, or constructs a building or structure in violation of this chapter shall be required to restore the building or structure and its site to its appearance prior to the violation. Such restoration shall be completed within such time frame as set by the Landmarks Commission using materials, building design and construction methods approved by said Commission. Failure to complete the restoration in conformance with the requirements of the Landmarks Commission shall constitute a violation of this ordinance. Violations shall be subject to the penalties listed in Section 13-1-135 of the Menasha Code of Ordinances. Each day the violation continues shall constitute a separate offense.
- (2) Any person who demolishes a building or structure in violation of Section (h) shall forfeit a sum equal to fifty percent (50%) of the value of the building or structure, should the Landmarks Commission and Common Council make a finding after a hearing that the demolished structure had major historical significance. The value shall be determined by using the assessed value from the previous year's property tax assessment as equalized by the Wisconsin Department of Revenue.
- (3) The Community Development or his/her designee, with the advice and consent of the City Attorney, is authorized to issue a citation or to institute any formal proceeding to enjoin, correct, or abate any violation of this chapter.

(m) MAINTENANCE OF HISTORIC STRUCTURES, HISTORIC SITES, AND HISTORIC DISTRICTS. Every person in charge of an improvement or structure in a historic district shall keep in good repair all of the exterior portions and all interior portions thereof which, if not maintained, may cause or tend to cause the exterior portions of such improvement or structure to fall into a state of disrepair. This provision shall be in addition to all other provisions of law requiring such improvement to be kept in good repair.

(n) CONDITIONS DANGEROUS TO LIFE, HEALTH, OR PROPERTY. Nothing contained in this Section shall prohibit the making of necessary construction, reconstruction alteration or demolition of any historic structure, any improvement on

a historic site or in a historic district pursuant to order of any governmental agency or pursuant to any court judgment, for the purpose of remedying emergency conditions as determined by the Community Development Director to be dangerous to life, health, or property. In such cases, no approval from the Landmarks Commission shall be necessary.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____th day of July, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

**STREET USE APPLICATION**Sponsored by: Trinity Lutheran ChurchResponsible Person: Michelle Neuman/Jane NielsenAddress: Broad StMenashaPhone: 722-2662 / 725-9755Street Use Date: 8/5/08Start Time: 4:00 PMEnd Time: 8:00 PM

Number of Units: _____

Street Route: (Attach Map)
Description of UseClose Broad street between Tayco +Milwaukee streets for community event- National Night Out, for easy access between

both lots will be used for the event)
Church parking lot and Germania Hall Parking lot. Also park the emergency vehicle provided by the city for public inspection on Broad St.

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ 1,000,000 WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.

0675116-02-

Insurance Company Church Mutual Insurance Co Policy No. 667553
(Attached is a copy of the insurance certificate).

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: 6/24/08 APPLICANT'S SIGNATURE: H. Nielsen-----
TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

NOT REQUIRED: _____ APPROVED: _____ DENIED: _____

SCHEDULED COMMON COUNCIL REVIEW DATE: 7/7/08

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. [Signature]Fire Dept. [Signature]Public Works Dept. MR

City Attorney _____

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
06/20/2008

PRODUCER **Beth Ann Sabatka**
Church Mutual Insurance Company
3000 Schuster Lane
Merrill WI 54452

If calling from Wisconsin: 1-800-554-2842 Option 1
If calling from Outside Wisconsin: 1-800-554-2642 Option 9, then area code 920

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

INSURER A: Church Mutual Insurance Company
INSURER B:
INSURER C:
INSURER D:
INSURER E:

INSURED

TRINITY LUTHERAN CHURCH
300 BROAD ST # 316
MENASHA WI 54952-3045

Group 059

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCURRENCE GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> LOCATION <input type="checkbox"/> PROJECT	0075116-02-667553	08/15/2006	08/15/2009	EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 PROPERTY DAMAGE LEGAL LIABILITY (ANY ONE OCCURRENCE) \$ 300,000 COMBINED SINGLE LIMIT (Ea Accident) \$ BODILY INJURY (Per Person) \$ BODILY INJURY (Per Accident) \$ PROPERTY DAMAGE (Per Accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				
A	EXCESS LIABILITY <input checked="" type="checkbox"/> OCCURRENCE <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000	0075116-81-667554	08/15/2006	08/15/2009	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYER'S LIABILITY				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Evidence of Liability Insurance for closing off the streets around the church for National Night Out held on August 5, 2008 from 4:00 PM until 8:00 PM. Commercial General Liability Additional Insured - City of Menasha; Department of Public Works for closing off the streets around the church for National Night Out held on August 5, 2008 from 4:00 PM until 8:00 PM. Subject to the coverage provided by the referenced policy. (072 - A 220)

CERTIFICATE HOLDER ☒ ADDITIONAL INSURED; INSURER LETTER: A

CANCELLATION

CITY OF MENASHA
DEPARTMENT OF PUBLIC WORKS
140 MAIN STREET
MENASHA, WI 54952

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Beth Ann Sabatka

AVIATION CERTIFICATE OF INSURANCE

CERTIFICATE DATE: July 1, 2008

CERTIFICATE NUMBER: #381110

CERTIFICATE HOLDER:
POLICYHOLDER:

 Theda Clark Medical Center
 130 Second Street
 Neenah, WI 54956-2883

 Air Methods Corporation
 Mercy Air Service, Inc., LifeNet, Inc., dba ARCH Air
 Medical Services, Inc., Rocky Mountain Holdings, LLC,
 FSS Airholdings, Inc., CJ Systems Aviation Group, Inc.
 and/or any associated, subsidiary, affiliated, managed, owned
 or controlled companies or entities thereof.

This is to certify that the following policy(s), subject to the terms, conditions, limitations and endorsements contained therein, and during their effective period, have been issued by the companies indicated below. In the event of material change or cancellation of said policy(s), the company will endeavor to notify the certificate holder, but failure to do so shall impose no liability or obligation of any kind upon the undersigned or the companies involved.

AIRCRAFT PHYSICAL DAMAGE & AIRCRAFT LIABILITY INSURANCE PROGRAM

Insurance Companies:

- 20% - Through one of the several participating companies of the United States Aircraft Insurance Group
- 30% - National Union Fire Insurance Company of Pittsburgh, PA through AIG Aviation
- 15% - Allianz Global Risk US Insurance Company through Allianz Aviation Managers
- 10% - Through one or more member companies of Global Aerospace, Inc.
- 5% - Federal Insurance Company through Starr Aviation
- 20% - Various Lloyd's and Company Markets through Hayward Aviation Limited

Policy Number:

 SIHL 1-204K
 FQ 1851188-06
 A2GA000137608AM
 SP 215317
 9957-0272-02

Policy Period: July 1, 2008 - July 1, 2009

Coverage:

Aircraft

Aircraft Hull - All Risk Ground & Flight

Aircraft Liability

Medical Payments

Hull War & Liability

N911TS - 2000 EC 135PL s/n 0167

\$3,700,000 Physical Damage

\$50,000,000 Combined Single Limit

\$50,000 Each Person

Included - With War Liability Subject to a Maximum of \$50,000,000

The foregoing evidence of coverage is not verbatim of policy(s) conditions, limitations or language; the policy(s) represented by this certificate are not amended in any way unless so stated on this Certificate.

ADDITIONAL AGREEMENTS:

The Who's Covered section of Your Liability Coverage shall include *Theda Clark Medical Center*, but only when the aircraft is being operated by or for the Named Insured.

No coverage is provided the additional insured with respect to claims arising out of their legal liability as manufacturers, repairers, suppliers or servicing agents and shall not operate to prejudice the Insurance Company's rights of recourse against the additional insured as manufacturers, repairers, suppliers or servicing agents where such rights of recourse would have existed had this agreement not been effected under this certificate.

NOTICE OF CANCELLATION: IN THE EVENT OF MATERIAL CHANGE OR CANCELLATION OF SAID POLICY(S), THE COMPANY(S) SHALL ENDEAVOR TO GIVE 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER WITH THE EXCEPTION OF A 10 DAY NOTICE FOR NON-PAYMENT OF PREMIUM.

AIRSURE

L I M I T E D

A Van Gilder Company

 5700 Granite Parkway, Suite 550 - Plano, TX 75024-8847
 Tel: 972/980-0800 Fax: 972/980-4090



Authorized Signature